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RICHARD BRINSLEY BUTLER SHERIDAN

MASTERPIECES OF ELOQUENCE

FAMOUS ORATIONS OF GREAT WORLD LEADERS FROM EARLY GREECE TO THE PRESENT TIME

EDITED BY

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ORATIONS

SHERIDAN

RICHARD BRINSLEY BUTLER SHERIDAN was born at Dublin in 1751. He was the second son of Thomas Sheridan, who had been an excellent actor, and who subsequently became a distinguished educationist. The boy Richard was sent to Harrow. After leaving school at the age of seventeen, he was entered at the Middle Temple, but paid less attention to legal studies than to literature. It was in 1775, when he was less than twenty-four years old, that his first comedy, "The Rivals," was produced at Covent Garden. The original defects of the play, which caused it to be received somewhat coldly on the first night, were remedied before the second performance, and the piece at once took that place upon the stage which it has never lost. In the course of the same year Sheridan wrote the comic opera of "The Duenna," which had the longest run recorded up to that time. "The School for Scandal" was produced in the spring of 1777, and had, it is well known, extraordinary success. Two years later appeared "The Critic," which is supposed to afford the highest proof of Sheridan's skill as a dramatist. The only dramatic composition which belongs to the remaining thirty-six years of his life was "Pizarro," produced in 1799. He entered Parliament in 1780. His first speech, like Disraeli's, was a failure, but he persevered, and, presently, took a place among the best speakers in the House. The occasion that gave him a chance of rising out of the ranks of effective debaters and attaining the repute of a great parliamentary orator, was the impeachment of Warren Hastings. Of some of the speeches delivered by him in the course of the proceedings only brief abstracts have been preserved, but, with regard to the second, or four days' speech in Westminster Hall, posterity has been more fortunate. The speech is here reproduced. The closing years of Sheridan's life were full of painful passages upon which no one could wish to linger. He died in 1817.

SPEECH ON SUMMING UP THE EVIDENCE AGAINST WARREN HASTINGS ON THE BEGUM CHARGE

TUESDAY, JUNE 3, 1788

MR. SHERIDAN said it was not his intention to trespass upon their lordships' attention for any length of time, in the consideration of the charge immediately before them, by making many preliminary observations. Such general remarks as it was in his power to

make would only weaken what had been already urged by the right honorable gentleman who was the principal mover of the impeachment—whose genius exceeded everything but his disposition—who understood and felt for all—through whom and by whom so great an *embodied stand* had been made in defence of the "rights of man" against "man's oppression." He might, however, without injury to the general cause, and without exposing too much of their lordships' patience, say a few words, both upon the subject of the impeachment in general, and the particular situation of himself and his honorable colleagues who had been appointed to conduct it.

He thought, that if ever there was a prosecution in which those who carried it on were free from all unwarrantable resentment, or improper bias, it was the present. He could speak from his own heart, and declare most solemnly, that he found there no private incentive to the part he had taken in this impeachment; and he verily believed he might safely say that all his honorable colleagues, as well as himself, were actuated solely by the zeal they felt for the public welfare, and their honest solicitude for the honor of their country, and the happiness of those who were under its dominion and protection. With such subjects in view, he really lost sight of Mr. Hastings; who, however great in other respects, was too insignificant to be mixed with such important considerations. "The unfortunate gentleman at the bar is no mighty object in my mind. Amid the series of mischiefs, to my sense, seeming to surround him, what is he but a petty *nucleus*, involved in its *lamina*, scarcely seen or thought of?" It was impossible, therefore, that his honorable colleagues or himself should feel themselves under the influence of

malice or ill-will toward the object of the prosecution; they acted solely under a delegated power; they stood at their lordships' bar as the representatives of the Commons of England; and as they acted in that public capacity, it might as well be said that the Commons of Great Britain, in whose name the impeachment had been brought before their lordships, were actuated by malice to the prisoner, as that the managers of the House of Commons had any private spleen to gratify in discharging the duty imposed upon them by their principals. In truth, the prosecution was not "begotten in prejudice, or nursed in error." It was founded in the clearest conviction of the wrongs which the natives of Hindustan had suffered through the maladministration of those in whose hands the country had placed extensive powers, which ought to have been exercised for the benefit of the governed, but which had been used by the prisoner at the bar for the shameful purposes of oppression.

To convince their lordships that the British government —which ought to have been a blessing to the powers in India connected with it—had been a scourge to the natives, and the cause of desolation to the most flourishing provinces in Hindustan, he had only to read a letter that had been received not long since from Lord Cornwallis, the present Governor-General of Bengal. In that letter the noble lord stated he had been received by the Nabob Vizier with every mark of friendship and respect; but the honors he received at the court of Lucknow had not prevented him from seeing the desolation that overspread the face of the country, the sight of which had shocked his very soul. He spoke to the Nabob on the subject, and earnestly recommended it to him to adopt some system of government that might restore the prosperity of his kingdom, and make

his people happy. The Nabob's answer was strikingly remarkable. That degraded prince said to his lordship, that as long as the demands of the English Government upon the revenue of Oude should remain unlimited, he (the Nabob) could have no interest in establishing any system of economy; and while the English should continue to interfere in the internal government of his country, it would be in vain for him to attempt any salutary reform; for his subjects knew he was only a cipher in his own dominions, and therefore laughed at and despised his authority and that of his ministers.

Surely the state to which that wretched prince was reduced by our mismanagement, and the ruin which had, by the same cause, been brought upon his country, called loudly upon their lordships to interfere, and rescue their national honor and character from the infamy to which both would be exposed, if no inquiry was made into the causes of such calamities, and no punishment was inflicted on the authors of them. Policy, as well as justice, called upon them to vindicate the character of Great Britain in India; for he would prove to them, from good authority, that the native powers had so little reliance upon our faith, that the preservation of our empire in that quarter of the world could be effected only by convincing the native princes that a religious adherence to its engagements should, in future, characterize the British Government in that country. To prove the necessity there was for bringing such a conviction to the mind of every native prince, Mr. Sheridan read a letter addressed to Lord Cornwallis, from Captain Kirkpatrick, who, when he wrote it, was resident at the court of the great Mahratta chief, Madajee Scindia. This gentleman stated in his letter that the

new system of moderation brought about by his lordship was certainly the only one that could give stability to our empire in India; but at the same time, he must observe, that as the princes of that country had so frequently had cause to lament that no engagement could bind us, it would require time, and repeated proofs of good faith, to convince them that we were serious in the professions which were then held out to them on the part of the British Government; that ambition, or a desire of conquest, should no longer be encouraged by British councils —and that strict adherence to all treaties and engagements should be the basis of all our future political transactions.

To these letters, Mr. Sheridan said, he must call upon their lordships to give an answer—not by words, for they will find no credit with the natives, who had so often been deceived by our professions; but by deeds, which would convince them that we were truly in earnest; for it was only by our punishing those who have been guilty of the delinquencies which have brought ruin on the country, that we could possibly gain confidence with the people of India, and satisfy them that future delinquents will not be encouraged or countenanced by the ruling powers at home.

In looking round for an object fit to be held out to the world as an example of national justice, their lordships must necessarily fix their eyes upon Mr. Hastings. He was the great cause of the degradation of our character in India, and of the oppression of its devoted inhabitants; and he was the only victim that could atone for the calamities he had occasioned.

But while he pointed out the prisoner at the bar as a proper object of punishment, he begged leave to observe, that he did not wish to turn the sword of justice against

that man, merely because an example ought to be made; such a wish was as far from his heart as it was incompatible with equity and justice. If he called for punishment upon Mr. Hastings, it was because he thought him a great delinquent; and the greatest of all those who, by their rapacity and oppression, had brought ruin on the natives of India, and disgrace upon the inhabitants of Great Britain.

While he called for justice upon the prisoner, he could wish also to do him justice. He would be sorry that the weight and consequence of the Commons of Great Britain, in whose name the prosecution had been set on foot, should operate to his prejudice. Indeed, while he had such upright judges as their lordships, it was impossible that anything could injure him but the clearest and most unequivocal proofs of guilt.—"It is not the peering suspicion of apprehending guilt—it is not any popular abhorrence of its widespread consequences—it is not the secret consciousness in the bosom of the judge, which can excite the vengeance of the law, and authorize its infliction! No—in this good land, as high as it is happy, because as just as it is free, all is definite, equitable, and exact—the laws must be satisfied before infliction ensues—and ere a hair of the head can be plucked, *legal guilt* must be established by *legal proof!*"

This principle must be admitted as conclusive; though, in the present case, he felt the inconvenience of it, which might operate as a bar to public justice; for the managers of the impeachment labored under difficulties that could scarcely occur in any other prosecution. The witnesses whom they had been obliged to call were for the most part (he would state the exceptions in the proper place)

the accomplices of the prisoner's guilt and the instruments of his oppressions. From such witnesses it was not likely that proofs of guilt could be obtained without difficulty.

In the written documents from which the managers had selected their proofs in support of the impeachment, considerable difficulties had occurred—those documents had been drawn up by the parties whose study it was, as it was their interest—though contrary to their duty—to conceal the iniquity of their proceedings, and, consequently, to disguise the truth.

But though he stated the difficulties which the managers had to encounter, he did not mean to say that the proofs which they had adduced were in any degree defective. "Weak, no doubt, in some parts, and incompetent —and yet more deplorable, as undistinguished by any compunctious visitings of repenting accomplices—but yet enough, and enough in sure validity, to abash the front of guilt no longer hid, and flash conviction on conscientious judges."

Having premised these observations, Mr. Sheridan said he would now make some remarks upon the defence, or rather defences, made by the prisoner. He had already made four, three of which he had since thought proper to abandon and discredit. Indeed, he believed it was a novelty in the history of criminal jurisprudence, that a person accused should first make a defence, and afterward endeavor to convince his judges that they ought not to attach to it the least credit. Mr. Sheridan said he was the more surprised at this conduct in the prisoner, as it was since he had had the assistance of counsel that he had made this attempt; he thought, that when he had been rescued from his own incautious rashness, he would

not have taken so extraordinary a step as that of discrediting his own defence.

In every court of law in England, the confession of a criminal, when not obtained by any promise of favor or lenity, or by violent threats, was always admitted as conclusive evidence against himself; and if that confession was made before a grave and respectable assembly of persons, competent to take cognizance of crimes, there was no doubt but it would have due weight, because it was fair to presume that such a confession must be voluntary, and not procured by any undue or improper means. The prisoner had, in his defence made before the House of Commons, admitted many facts; and it was the intention of the managers to urge in support of the charges his admission of them. For when he went the length of admitting them, he was speaking the language, not of inconsiderate rashness and haste, but of deliberate consideration and reflection, as would appear to their lordships from a passage which he should read to them, from the introduction to the defence read by Mr. Hastings himself at the bar of the House of Commons. In that passage the prisoner used the following words:

"Of the discouragement to which I allude, I shall mention but two points, and these it is incumbent on me to advert to, because they relate to effects which the justice of this honorable House may, and I trust will, avert. The first is an objection to my being at all committed in my defence; since, in so wide a field for discussion, it would be impossible not to admit some things of which an advantage might be taken, to turn them in evidence against myself; whereas, another might as well use, as I could, or better, the same materials of my defence,

without involving me in the same consequences. But I am sure that this honorable House will yield me its protection against the cavils of unwarranted inference; and if the *truth* can tend to convict me, *I am content to be* MYSELF *the channel to convey it.* The other objection lay in my own breast. It was not till Monday last that I formed the resolution; and I knew not then whether I might not in consequence be laid under the obligation of preparing and completing in five days (and in effect so it has proved) the refutation of charges which it has been the labor of my accuser, armed with all the powers of Parliament, to compile during as many years of almost undisturbed leisure."

Here, then, Mr. Sheridan observed, the prisoner had, upon deliberation, committed his defence to paper; and after having had five days to consider whether he should present it or not, he actually delivered it himself to the House of Commons, as a defence founded in *truth;* and triumphantly remarked upon it, that if "*truth* could tend to convict him, he was willing to be himself the channel to convey it."

But what was his language now that he had had the advice of counsel? Why, that there was not a word of truth in what he delivered to the House of Commons as the *truth;* that he had no knowledge of many of the facts, no recollection of the circumstances; that he had put his memory in commission, and appointed Messrs. Middleton, Scott, Gilpin, etc., the commissioners; nay, that he had also put his defences into commission, to be exercised by the same gentlemen. "These, like raw materials, the master-workman distributes about him to all hands waiting. His words are to be strung—arguments spun—pas-

sages are to be woven. He puts his conscience into departments; Major Scott, says he, take care of my consistency; Mr. Middleton, you have my memory in commission! Prove me a financier, Mr. Shore. Answer for me, Mr. Holt (all journeymen, good enough for the House of Commons, though not for your lordships). Help, one and all, to bear me up under the bare pressure of my laurels, the burden of my glory! Refreshen, and save me from the calentures of my state, from the peril of my own panegyric."

Thus could the prisoner sport with the understanding and feelings of the House, by asserting that to be false and not entitled to credit to-day, which, on a former, he had declared to be the truth itself, and the ground of his hope that it would procure him an acquittal; or what would have been the same thing to him, would prevent the Commons from carrying up the impeachment against him to their lordships' bar. Indeed, this avowal and disavowal of defences, and from the defence differing from all the former which had been delivered to their lordships, it would seem as if Mr. Hastings was of opinion that anything would do for the House of Commons. Possibly it might subsequently prove that he entertained a similar opinion with respect to their lordships; for it was not improbable but he might hereafter abandon the defence he had delivered to them: he might say, "It was not made by me, but by my counsel, and therefore I hope your lordships give no credit to it." But if he would abide by that his last defence, he (Mr. Sheridan) would join issue with him upon it, and prove it to be in many places void of truth, and in almost every part of it unfounded in argument as well as fact.

Having thus alluded to the different defences made by the prisoner, Mr. Sheridan next adverted to the allegations in the second charge that had been supported in evidence. He said, that the managers had proved the high birth and great rank of the Begums, or Princesses of Oude; they had also proved from the evidence of Sir Elijah Impey, Mr. Middleton, Mr. Goring, and others, how sacred was the residence of women in India. A threat, therefore, to force that residence, and violate its purity by sending armed men into it, was a species of torture, the cruelty of which could not be conceived by those who were unacquainted with the customs and notions of the inhabitants of Hindustan. A knowledge of the customs and manners of the Mussulmans of Turkey would not enable one to judge of those of Mussulmans in India: in the former, ladies went abroad veiled, and though not so free as those in Christian countries, still they were not so closely shut up as were the ladies professing the same religion in Hindustan. The confinement of the Turkish ladies was in a great measure to be ascribed to the jealousy of their husbands; in Hindustan the ladies were confined, because they thought it contrary to decorum that persons of their sex should be seen abroad: they were not the victims of jealousy in the men; on the contrary, their sequestration from the world was voluntary; they liked retirement, because they thought it best suited to the dignity of their sex and situation: they were shut up from liberty, it was true; but liberty, so far from having any charms for them, was derogatory to their feelings; they were enshrined rather than immured; they professed a greater purity of pious prejudice than the Mohammedan ladies of Europe and other countries; and

more zealously and religiously practiced a more holy system of superstition. Such was their sense of delicacy, that to them the sight of man was pollution; and the piety of the nation rendered their residence a sanctuary. What, then, would their lordships think of the tyranny of the man who could act in open defiance of those prejudices, which were so interwoven with the very existence of ladies in that country, that they could not be removed but by death? What, he asked, would their lordships think of the man who could threaten to profane and violate the sanctuary of the highest description of ladies in Oude, by saying that he would storm it with his troops, and remove the inhabitants from it by force?

Mr. Sheridan dwelt for some time with great feeling on this point. He next adverted to the treasures in the Zenana, and the relation in which the Bow Begum and the Nabob stood to each other, and to Mr. Hastings. He adduced various arguments to show that these treasures did not belong to the state, but to the Begum; and most happily ridiculed the memory of Mr. Middleton, that remembered inferences but forgot the facts that would support them; nay, sometimes remembered the facts that overturned them. Thus, he said, the treasures must have belonged to the state, and consequently were the inheritance of the Nabob, because that prince had drawn for a large sum which was to be paid out of those treasures, but his draft was not honored; and he said, they could not be the property of the Begum, for he remembered, that when the Nabob's draft was returned without having been honored, the Begum drew for the same sum upon the same treasures, and the money was instantly paid.

Mr. Sheridan showed next, that there was very good

ground for presuming that the treasures possessed by the Begum were the property of that princess; she had endeared herself to her husband, the late Nabob, by flying to him in the moment of his distress, after his defeat at Buxar, and carrying with her to his relief the jewels with which, in happier days, his fondness for her had enriched her: upon these she raised him a large supply. When the political generosity of this country restored him afterward to his throne, his gratitude to his wife knew no bounds: her ascendancy over him was such, that she prevailed upon him to appoint his son *by her* his successor.

The present Nabob, as had appeared from a passage in a letter written by Mr. Hastings to him, and since proved in evidence, owed to her not only his birth and succession to the crown, but also the preservation of his life; for one day, his savage father in a rage attempting to cut him down with his cimeter, the Begum rushed between her husband and her son, and saved the latter through the loss of some of her own blood; for she was wounded by the blow that was not aimed at her. A son so befriended and so preserved, Mr. Hastings had armed against such a mother: he invaded the rights of that prince, that he might compel him to violate the laws of nature by plundering his parent; and he made him a slave, that he might afterward make him a monster. Mr. Hastings was bound to be the protector of the Begum, instead of her plunderer; for her husband, on his death-bed, bequeathed her to his friendship; and Mr. Hastings had always called that husband his brother—but no consideration could make him discharge the duties of any obligation that could set bounds to his rapacity.

The interference of Mr. Bristow in 1775, in the differ-

ence between the Begums and the Nabob, in consequence of the claims of the latter, was the next ground of Mr. Sheridan's observations. Mr. Bristow had then, in a conversation with the superior or elder Begum, thrown out an insinuation that the treasures which she possessed were the treasures of the state; and on this insinuation, so termed by Mr. Bristow himself, had Mr. Hastings founded all his arguments on that head, and on which he lately appeared to place so much reliance. The Begums at that time gave up to Asoph ul Dowlah sums amounting to £550,000. Of this a part was to be paid in goods, which, as they consisted of arms, elephants, etc., the Nabob alleged to be his property, and refused to accept as payment. This occasioned a dispute, which was referred to the board of Calcutta. Mr. Hastings then vindicated the right of the Begums to all the goods in the zenana, and brought over the majority of the council to his opinion. The ideas then placed on record he had since found it convenient to disown, as belonging not to him, but to the majority of the council!

"There are," said Mr. Sheridan, "in this assemblage, those who are perfect in their ideas of law and justice, and who understand tolerably well majorities and minorities; but how shall I instance this new doctrine of Mr. Hastings? It is as if Mr. Burke, the great leader of the cause, should some ten years hence revile the managers, and commend Mr. Hastings!" "Good God," might say one of those gentlemen, "it was *you* who instigated the inquiry; it was *you* who made me think as I did!" "Ay, very true," might Mr. Burke reply, "but I was then in a minority: I am now in a majority; I have left my opinions behind me; and I am no longer responsible."

The claims, however, it was observable, of the Nabob, as to the treasure of the Begums, were at this time the only plea alleged for the seizure. These were always founded on a passage of that Koran which was perpetually quoted, but never proved. Not a word was then mentioned of the strange rebellion which was afterward conjured up, and of which the existence and the notoriety were equally a secret!—a disaffection which was at its height at the very time when the Begums were dispensing their liberality to the Nabob, and exercising the greatest generosity to the English officers in distress!—a disturbance, in short, without its parallel in history, which was raised by two women—carried on by two eunuchs—and finally suppressed by an affidavit!

Mr. Sheridan then adverted to the negotiations of Mr. Middleton with the Begums in 1778, when the discontents of the superior Begum would have induced her to leave the country, unless her authority was sanctioned and her property secured by the guarantee of the Company. This guarantee the counsel, or Mr. Hastings, had thought it necessary to deny, as knowing that if the agreements with the elder Begum were proved, it would affix to Mr. Hastings the guilt of all the sufferings of the women of the Khord Mahal, the revenues for whose support were secured by the same engagement. In treating this part of the subject, the principal difficulty arose from the uncertain evidence of Mr. Middleton, who, though concerned in the negotiation of the four treaties, could not recollect affixing his signature to three out of that number. Mr. Sheridan proved, however, from the evidence even of Mr. Middleton, that a treaty had been signed in October, 1778, wherein the rights of the elder Begum were fully recog-

nized; a provision secured for the women and children of the late vizier in the Khord Mahal; and that these engagements had received the fullest sanction of Mr. Hastings. These facts were confirmed by the evidence of Mr. Purling, a gentleman who, Mr. Sheridan said, had delivered himself fairly, and as having no foul secrets to conceal. He had transmitted copies of these engagements in 1780 to Mr. Hastings at Calcutta; the answer returned was that in arranging the taxes on the other districts he should pass over the jaghires of the Begums. No notice was then taken of any impropriety in the transactions in 1778, nor any notice given of an intended revocation of those engagements.

But in June, 1781, when General Clavering and Colonel Monson were no more, and Mr. Francis had returned to Europe, all the hoard and arrear of collected evil burst out without restraint, and Mr. Hastings determined on his journey to the upper provinces. It was then, that without adverting to intermediate transactions, he met with the Nabob Asoph ul Dowlah at Chunar, and received from him the mysterious present of £100,000. To form a proper idea of this transaction, it was only necessary to consider the respective situation of him who gave, and of him who received this present. It was not given by the Nabob from the superflux of his wealth nor in the abundance of his esteem for the man to whom it was given. It was, on the contrary, a prodigal bounty, drawn from a country depopulated—no matter whether by natural causes, or by the grinding of oppression. It was raised by an exaction which took what calamity had spared and rapine overlooked—and pursued those angry dispensations of Providence, when a prophetic chastisement had been inflicted on a fated

realm. The secrecy which had marked this transaction was not the smallest proof of its criminality. When Benarum Pundit had, a short time before, made a present to the Company of a lac of rupees, Mr. Hastings, in his own language, deemed it "worthy the praise of being recorded"; but in this instance, when ten times that sum was given, neither Mr. Middleton nor the council were acquainted with the transaction until Mr. Hastings, four months after, felt himself compelled to write an account to England, and the intelligence returned thus circuitously to his friends in India! It was peculiarly observable in this transaction, how much the distresses of the different parties were at variance. Mr. Hastings travels to the Nabob to see, no doubt, and inquire into his distresses, but immediately takes from him £100,000, to be applied to the necessities of the distressed East India Company; but on further deliberation these considerations vanish; a third object arises more worthy than either of the former, and the money is taken from the one, and demanded from the other, to be applied to the use of—the distressed Mr. Hastings.

The money, it was alleged by Mr. Hastings, had been originally taken to discharge the arrears of the army. It had not long been applied to that use, because it was received in bills on Gopal Dos, a rich banker at Benares, who was then kept a prisoner by Cheit Sing. Major Scott being questioned on the subject, declared the bills on Gopal Dos were as good as cash, for that though the principal of the house was a prisoner, that circumstance made no difference whatsoever with the other partners. Thus Mr. Hastings was inconsistent with himself, by alleging an objection which should have prevented his taking the

money in the first instance, for the purpose he had stated; and Major Scott contradicting Mr. Hastings, removed the objection, and restored the business to its original footing. But through all those windings of mysterious hypocrisy, and of artificial concealment, it was easy to mark the sense of hidden guilt. Mr. Hastings himself, being driven from every other hold, advanced the stale plea of state necessity. But of this necessity he had brought no proof; it was a necessity which listened to whispers for the purpose of crimination, and dealt in rumor to prove its own existence. To a general leading the armies of Britain—to an admiral bearing her thunders over the seas, the plea of necessity might be indulged, if the wants of those were to be supplied whose blood had been spilled in the service of their country; but his "state necessity, grand, magnanimous, and all-commanding, went hand in hand with honor, if not with use; it went forth with our arms, when the hero could plume himself, like the imperial eagle on his nest, unassailable!—and, amid his fair successes, look down in justified disdain on any malevolent challenge of minute error; his fame as firm as the rock, which, from his defence, all the enemy had battered in vain!"

On the business of the treaty of Chunar, which succeeded the acceptance of this bribe, Mr. Sheridan was equally perspicuous and equally severe. It was a proceeding, he observed, which, as it had its beginning in corruption, had its continuance in fraud, and its end in violence. The first proposition of the Nabob, after his recent liberality, was, that the army should be removed, and all the English recalled from his dominions. The bribe which he had given was the obvious price of their removal. He felt the weight of their oppression—

he knew, to speak his own language, "that when the English stayed, they stayed to ask for something." Though their predecessors had exhausted the revenue —though they had shaken the tree until nothing remained upon its leafless branches, yet a new flight was on the wing to watch the first buddings of its prosperity, and to nip every promise of future luxuriance.

To this demand Mr. Hastings had promised to accede, and to recall every Englishman from the province; but by an evasion which Mr. Middleton disclosed with so much difficulty to their lordships on the last day of his appearance, the promise was virtually recalled. No orders were afterward given for the establishment of Englishmen in the province, but recommendations of the same effect with Mr. Middleton and the vizier were sent, and the practice continued. In the agreement respecting the resumption of the jaghires, the Nabob had been duped by a similar deception. He had demanded and obtained leave to resume those of certain individuals. Mr. Hastings, however, defeated the permission by making the order general; knowing that there were some favorites of the Nabob whom he could by no means be brought to dispossess. Such was the conduct of Mr. Hastings, not in the moment of cold or crafty policy, but in the hour of confidence and the effervescence of his gratitude for the favor he had just received. Soaring above every common feeling, he could deceive the man to whose liberality he stood indebted—even his gratitude was perilous; and a danger actually awaited on the return which he was to make to an effusion of generosity!

The transactions in which Sir Elijah Impey bore a share, and the tenor of his evidence, were the next objects of Mr.

Sheridan's animadversion. The late Chief-Justice of Bengal, he remarked, had repeatedly stated that Mr. Hastings had left Calcutta with two resources in his view—those of Benares and of Oude. It appeared, however, from every circumstance, that the latter resource was never in his contemplation, until the insurrection in Benares, terminating in the capture of Bedjegur, had destroyed all his hopes in that province. At that instant the mind of Mr. Hastings, fertile in resources, fixed itself on the treasures of the Begums, and Sir Elijah Impey was despatched to collect materials for their crimination. "But I have ever thought," said Mr. Sheridan, "the selection of such a personage, for such a purpose, one of the greatest aggravations of the guilt of Mr. Hastings." That he, the purity of whose character should have influenced his conduct, even in his most domestic retirements—that he, who, if consulting the dignity of British justice, should have remained as stationary as his court in Calcutta—that such a man should be called to travel 500 miles for the transactions of such a business, was a deviation without a plea, and a degradation without example. This, however, was in some degree a question to be abstracted for the consideration of those who adorned and illumined the seats of justice in Britain, and the purity of whose character precluded the necessity of any further observations on so different a conduct.

With respect to the manner in which Sir Elijah Impey had delivered his evidence, it required some observation, though made without imputing to that gentleman the smallest culpability. Sir Elijah had admitted that in giving his evidence he had never answered without looking equally to the probability and the consequences of the

fact in question. Sometimes he had even admitted circumstances of which he had no recollection beyond the mere probability that they had taken place. By consulting in this manner what was probable, and the contrary, he might certainly have corrected his memory at times, and Mr. Sheridan said he would accept that mode of giving his testimony, provided that the inverse of the proposition might also have place, and that where a circumstance was improbable, a similar degree of credit might be subtracted from the testimony of the witness. Five times in the House of Commons, and twice in that court, for instance, had Sir Elijah Impey borne testimony that a rebellion was raging at Fyzabad at the time of his journey to Lucknow. Yet, on the eighth examination, he had contradicted all the former, and declared that what he meant was, that the rebellion had been raging, and the country was then in some degree restored to quiet. The reasons assigned for the former errors were, that he had forgotten a letter received from Mr. Hastings, informing him that the rebellion was quelled, and that he had also forgotten his own proposition of travelling through Fyzabad to Lucknow. With respect to the letter nothing could be said, as it was not in evidence; but the other observation would scarcely be admitted, when it was recollected that in the House of Commons Sir Elijah Impey had declared that it was his proposal to travel through Fyzabad which had originally brought forth the information that the way was obstructed by the rebellion!—From this information Sir Elijah Impey had gone by the way of Illyabad; but what was yet more singular was that on his return he would again have returned by the way of Fyzabad, if he had not been again informed of the danger;

so that had it not been for these friendly informations, the chief-justice would have run plump into the very focus of the rebellion!—There were two circumstances, however, worthy of remark: the first was, that Sir Elijah Impey should, when charged with so dangerous a commission as that of procuring evidence to prove that the Begums had meditated the expulsion of their son from the throne, and of the English from Bengal, twice intend to pass through the city of their residence.

"This giddy chief-justice," said Mr. Sheridan, "disregards business. He wants to see the country: like some innocent schoolboy, he takes the primrose path, and amuses himself as he goes: he thinks not that his errand is on danger and death; and that his party of pleasure ends in loading others with irons." When at Lucknow, he never mentions the affidavits to the Nabob—no, he is too polite—he never talks of them to Mr. Hastings—out of politeness, too. A master of ceremonies in justice! When examined at the bar, he said—he imagines there must have been a sworn interpreter, from the looks of the manager. How I looked, heaven knows, said Mr. Sheridan, but such a physiognomist there is no escaping. He sees a sworn interpreter in my looks—he sees the manner of taking an oath in my looks!—he sees the Bason and the Ganges in my looks! As for himself, he only looks at the tops and bottoms of affidavits! In seven years he takes care never to look at these swearings; and then goes home one night, and undoes the whole; though, when he has seen them, Sir Elijah seems to know less about them than when he had not.

The second circumstance worthy of observation was, that if a conclusion could be formed from a cloud of cir-

cumstances, the inference of this occasion would undoubtedly be, that Sir Elijah Impey was dissuaded, by Mr. Hastings and Mr. Middleton, from passing by the way of Fyzabad, as well knowing that if, as a friend to Mr. Hastings, he were to approach the Begums, he would be convinced, by his reception, that nothing could be more foreign from the truth than the idea of their supposed disaffection. It was also observable that Sir Elijah Impey, at Lucknow, taking evidence in the face of day in support of this charge of rebellion against the Begums, when conversing with the Nabob and his minister, heard not a single word from either of a rebellion by which it was proposed to dethrone the Nabob, and to change the government of his dominions!—And equally unaccountable it appeared that Sir Elijah Impey, who had advised the taking of those affidavits for the safety of Mr. Hastings, had never read them at the time for the purpose of seeing whether they were sufficient for the purpose, or the contrary!—After so long a reserve, however, and after declaring on oath that he thought it unnecessary, the next step taken by Sir Elijah Impey was to read the affidavits, as, however late, they might contribute something to his information. He had been led to this study, by his own allegation, from having been misled by Mr. Sheridan, one of the managers on the part of the Commons, who, by looking at a book which he held in his hand, had persuaded him to declare that a sworn interpreter was present on the receiving of those affidavits—that Major Davy was present for that purpose—and that whoever it was, he was perfectly satisfied with his conduct on this occasion—when it was actually in evidence that no interpreter whatsoever was present. Now, said Mr. Sheridan, how I, by

merely looking into a book, could intimate the presence of an interpreter, could inculcate the assistance of Major Davy and could also look the satisfaction conceived by Sir Elijah Impey are questions which I believe that gentleman alone is able to determine!

He should admit, however, he said, that Sir Elijah Impey had not strictly attended to forms on the occasion of taking those affidavits; that he had merely directed the Bible to be given to the whites, and the Koran to the blacks, and had packed up in his wallet the returns of both without any further inquiry; or that he had glanced over them in India, having previously cut off all communication between his eye and his mind, so that no consciousness was transferred from the former to the latter; and that he had read them in England, if possible, with less information: however strange these circumstances might be, he would admit them all—he would even admit that the affidavits were legally and properly taken, and yet would prove that those affidavits were not sufficient to sustain any one point of criminality against those who were the subjects of the present charge.

After some brief observations on some parts of the affidavits, particularly on those of a native officer, who, as Mr. Sheridan observed, gave a specimen of platoon firing in his evidence by giving three affidavits in one day;[1] he concluded with observing, that as it would tend very much to abbreviate the discussion of the present charge, to enter more largely into the tendency of those

[1] "He had sworn once—then again—and made nothing of it: then comes he, with another, and swears a third time—and in company does better. Single-handed he can do nothing—but succeeds by platoon swearing and volleys of oaths!"

affidavits, he should therefore make a pause for the present, and take the liberty of calling the attention of their lordships more particularly to this point on the ensuing day.

FRIDAY, JUNE 6

MR. SHERIDAN resumed his speech, by expressing his satisfaction that, in the interval of the adjournment, the remaining part of the evidence, etc., had been printed and laid before their lordships—as it was the wish of the managers that every document should be before the court at the time, for the purpose of determining with more accuracy whether they had or had not borne out the charges which they presented.

Recurring then to the affidavits taken by Sir Elijah Impey at Lucknow, they formed, he observed, a material article in the defence of Mr. Hastings; and on the decision of their lordships respecting the weight of the allegations which they contained, a great part of this question would finally depend. With respect to one part of the charge made on the Begums—their having shown a uniform spirit of hostility to the British government—it had not only failed, but it was absolutely abandoned by the counsel for the prisoner, as not being supported by a tittle of evidence. In deciding on the other parts of this charge, their having committed an overt act of rebellion, their having inflamed the jaghiredars, and excited the discontents in Oude, their lordships were to consider the situation in which Mr. Hastings stood at the time these charges were made. Having failed in his attempt at Benares, his mind was entirely directed to the treasures of the Begums. He

knew that such was the situation into which he had plunged the affairs of the Company, that he could not address his venal masters, unless some treasure was found. He had, therefore, stood forward as an accuser, where he was also to preside as a judge—and with much caution should that judge be heard who has apparently a profit on the conviction and an interest in the condemnation of the party to be tried. He would not from this infer, however, that the charge was groundless; but he would argue that until fully proved, it should not meet with implicit credit. It was obvious also that the attempt said to have been made by the Begums to dethrone the Nabob and extirpate the English was in the highest degree improbable; but he would not infer from thence that it was impossible; there is in human nature a perverse propensity to evil, which had sometimes caused the perpetration of bad acts without any obvious gratification resulting to the perpetrator. All he should claim, therefore, was, that the accusations brought by Mr. Hastings against the Begums should undergo a candid examination, and that probable evidence, at least, should be brought to the support of charges in themselves improbable.

Mr. Hastings, in his defence, had complained that his prosecutor had attempted to blacken these affidavits as rash, irregular, and irrelevant; when they had been authenticated by the presence of Sir Elijah Impey, and as he also observed, being taken in an inquiry directed solely to establish the guilt of Cheit Sing, they were merely an accessary evidence in the present case, and were therefore less liable to suspicion. The reasoning, in this last instance, Mr. Sheridan observed, would undoubtedly be good—but the assertion, that the inquiries were exclu-

sively directed to the crimination of Cheit Sing, had been proved an absolute falsehood, as they were really intended to justify what was afterward to be done. With respect to the epithets bestowed on those affidavits by his honorable friend, the truth would best appear from a review of their contents. Mr. Sheridan then proceeded to remark on the affidavits severally, as far as they related to charges against the Begums. Those of the Jemmadars, or native subaltern officers, contained nothing, it appeared, but vague rumor and improbable surmise.

One deponent, who was a black officer in one of our regiments of sepoys, stated, that having a considerable number of people as hostages in a fort where he commanded, and who had been sent thither by Colonel Hannay, the country people got round the fort, and demanded that they should be delivered up—but instead of complying with their request, he put almost twenty of them to death: he afterward threw down some of the battlements of the fort, and killed four more of the hostages; and, on another day, the heads of eighteen more were struck off, and among them the head of a great rajah of the country, by order of Colonel Hannay. The people around were enraged at this execution, and crowded about the fort; some of them were heard to say that the Begums had offered a reward of 1,000 rupees for the head of every European; 100 for the head of every sepoy officer; and 10 for the head of a common sepoy. But it appeared afterward, pretty clearly, that no such rewards had, in reality, been offered; for when Captain Gordon's detachment took the field, the people who surrounded him told him that if he would deliver up his arms and his baggage they would let him and his men continue their route un-

molested; so little were they disposed to enrich themselves by the slaughter of the British forces that when Captain Gordon's detachment was reduced, by desertion, to ten men, and when the slaughter or capture of them would have been of course a work of very little difficulty, the country people remained satisfied with the dispersion of the detachment, and then returned to their homes, without attempting to attack the poor remains of that detachment—the ten men who continued with Captain Gordon. That gentleman, in his affidavit, supposed the Begums to have encouraged the country people to rise, because when he arrived at the bank of the river Saunda Nutta, on the opposite bank of which stands the town of Saunda, the fowzdar, or governor, who commanded there for the Bow Begum, in whose jaghire the town lay, did not instantly send boats to carry him and his men over the river; and because the fowzdar pointed two or three guns across the river. Now, admitting both these facts to be true, they could not affect the Begums; for it was the duty of the fowzdar to be on his guard, and not to let troops into his fort until he knew for what purpose they appeared before it. In the next place, there was nothing in the affidavit which indicated that the guns were pointed against Captain Gordon and his men; on the contrary, it was possible that these guns had made that gentleman's pursuers disperse; for it was rather remarkable that they should pursue him while he was in force, and should give over the pursuit when, by the desertion of his soldiers, his detachment was reduced to ten men. However, whatever might have been the cause of their dispersion, Captain Gordon at length got across the river, and found himself in a place of safety as soon as he got into a town that was under the authority

of the Begums, who caused him to be sent afterward, under a protecting guard, to Colonel Hannay. This circumstance was suppressed in the affidavit made afterward by Captain Gordon; for what purpose it was not for him to judge.

Hyder Beg Khan, the minister of the Nabob, though swearing both to rumor and to fact, could mention no
2 particulars of an insurrection which was to have dethroned his sovereign. Nor was the evidence of Colonel Hannay and the other English officers more conclusive: loud suspicions appeared to have been propagated at a time of general disturbance, and when the flames of war were raging in the neighboring province of Benares. Mr. Middleton, though swearing after he had received his final orders from Mr. Hastings respecting the seizure of the treasures, could only say, that he believed the Begums had given countenance to the rebels, and, he had heard, some aid. The whole of the depositions, Mr. Sheridan observed, were so futile, that were they defended in an inferior court of justice, he was convinced he should be forbidden to reply, and told that he was combating with that which was nothing!

With respect to the first part of the charge, the rebellion of the Begums, he could find no trace of any such transaction.

"The best antiquarian in our society," said Mr. Sheridan, "would be, after all, never the wiser!—Let him look where he would, where can he find any vestige of battle, or a single blow? In this rebellion, there is no soldier, neither horse nor foot: not a man is known fighting: no office-order survives, not an express is to be seen. This great rebellion, as notorious as our 'Forty-five, passed away

—unnatural, but not raging—beginning in nothing—and ending, no doubt, just as it began!

"If rebellion, my lords, can thus engender unseen, it is time for us to look about. What hitherto has been dramatic may become historical—Knightsbridge may at this moment be invested; and all that is left us, nothing but the forlorn hope of being dealt with, according to the statute, by the sound of the Riot Act, and the sight, if it can be, of another Elijah!"

The counsel had thought proper to dwell for a time on the Nabob's going to Fyzabad, on his return from Chunar, attended by a guard of 2,000 men. Mr. Middleton being asked, whether these men were well appointed, though on another occasion he had declared himself no military man, caught in the instant a gleam of martial memory, and answered in the affirmative. The contrary, however, was proved by the evidence of Captain Edwards, who attended the Nabob as his aide-de-camp, and also that those troops were actually mutinous for their pay, who were then taken to stop the progress of disaffection! Yet he would agree to all that the counsel required—he would suffer the whole 2,000 men to enter full trot into the city of Fyzabad, "while Middleton stood by out of his wits, with a gleam of martial memory; and while Sir Elijah, like a man going to learn fashions, or freedom in England, takes a sportive tour, as smooth and well-beaten as Old Brentford"; for Captain Edwards had fully proved that it was merely the usual guard of the Nabob. It would therefore have been disrespectful to have gone with less attendance; he could have no motive for going incognito unless he might have intended to make himself a perfect match for the insurrection, which was also incognito, or thought that a rebellion

without an army would be most properly subdued by a prince without a guard.

Another supposed proof of the disaffection of the Begums was brought, by alleging, that 1,000 Nadjies had been raised at Fyzabad, and sent to the assistance of Cheit Sing; and this for no other reason than a detachment of the same number being in the list of the forces of the Rajah! This single circumstance was taken as full and complete evidence of the identity of these troops. It was no matter that the officer second in command with Cheit Sing had sworn that the detachment came from Lucknow, and not from Fyzabad—this Mr. Hastings would have to be a trifling mistake of one capital for another! The same officer, however, had also deposed that the troops were of a different description; those of the Begum being swordsmen, and those in the service of the Rajah, matchlockmen. The inference to be made, therefore, undoubtedly was, that the detachment did actually come from Lucknow; not sent, perhaps, by the Nabob, but by some of the jaghiredars, his favorites, who had abundant power for that purpose, and whose aversion to the English had always been avowed. The name of Sadib Ally, his half-brother, had been mentioned as being highly criminal in these transactions;—but to the question, why was he not punished? Sir Elijah Impey had given the best answer at the bar, by informing their lordships that Sadib Ally was miserably poor! He had, therefore, found protection in his poverty, and safety in his insolvency. Every common maxim of judging on such occasions was certain to be overturned by Mr. Hastings. It was generally supposed that the needy were the most daring; and that necessity was the strongest stimulus to innovation; but

the Governor-General, inverting this proposition, had laid it down as an axiom that the actions of the poor were sufficiently punished by contempt; that the guilt of an offender should increase in a precise ratio with his wealth; and that, in fine, where there was no treasure, there could undoubtedly be no treason!

Mr. Sheridan next read the letter of the Begum to Mr. Hastings, complaining of the suspicions which had been so unjustly raised of her conduct; and referring to Captain Gordon, who could testify her innocence. He also read the letter of Captain Gordon to the Begum, thanking her for her interference, and acknowledging that he owed his life to her bounty. It had been asked, with an air of triumph, why Captain Gordon was not called to that bar? He had answered then as now, that he would not call on a man who, in his affidavit, had suppressed all mention of this important transaction. He trusted, that if ever he saw him at that bar, he should witness a contrite zeal to do away the effects of that silence, and behold a penitential tear for the part he had then taken. He hoped, however, for the honor of human nature, that Captain Gordon was then under a delusion; and that he was led on by Mr. Middleton, who was well informed of the business, to act a part of which he did not know the consequences. Every feeling of humanity recoiled from the transaction taken in any other point of view. It was difficult to imagine that any man could say to a benefactor, "The breath that I now draw, next to heaven, I owe to you; my existence is an emanation from your bounty; I am indebted to you beyond all possibility of return, and, therefore, my gratitude shall be your destruction."

The original letters on this occasion from Colonel Hannay and Captain Gordon to the Begum, had been transmitted by her, through Major Gilpin, to Mr. Middleton, for the purpose of being shown to Mr. Hastings; but the leaves were torn from Mr. Middleton's letter-book in the place where they should have appeared. When examined on this subject, he said that he had deposited Persian copies of those letters in the office at Lucknow, but that he did not bring translations with him to Calcutta, because he left Lucknow the very day after he had received the originals. This excuse, Mr. Sheridan said, he could boldly assert was a flat and decided perjury![1] It could be proved by corresponding debates that Middleton had received those letters at least a month before he left Lucknow. He departed from that city on the 17th of October; but must have received those letters before the 20th of the preceding month. He was, therefore, well aware of the purity of those in whose oppression he was engaged; he knew that their attachment was fully proved at the very time they were charged with disaffection; but as their punishment was predetermined, he, in concert with his principal, found it necessary to suppress the testimonials of their innocence. This mass of fraud and cruelty, covered as it had been by every art which the vile agents could devise, was now bared to the view by the aid of

[1] In this evidence, Mr. Sheridan said in express terms, "there appeared flat perjury!—enormity, if it was so, beyond all expectation, made manifest by that power, to whose nod all creatures must bend—to whom nothing, in the whole system of thought or aciton, is impossible; who can invigorate the arm of infancy with a giant's nerve—who can bring light out of darkness, and good out of evil—can rive the confines of hidden mischief, and drag forth each minister of guilt from amid his deeds of darkness and disaster; reluctant, alas! and unrepenting; to exemplify, at least, if not atone; and to qualify any casual sufferings of innocence by the final doom of its oppressor: to prove there are the never-failing correctior s of God, to make straight the obliquity of man."

that Power who can give a giant's nerve even to an infant arm. The injured sufferers, with tears more powerful than argument, and with sighs more impressive than eloquence, supplicated their lordships' justice, and called for that retribution which should alight on the detested but unrepenting author of their wrongs.

The benevolent interference of the Begum in favor of Captain Gordon had been assigned by Mr. Hastings in his defence, to her intelligence of the successes of the English at that period. That this allegation was founded in manifest falsehood could very easily be proved. The only success which the British forces at that time met with, was that of Colonel Blair, on the 3d of September, but where he himself acknowledged that another victory gained at such a loss would be equal to a defeat. The reports spread around the country at the time were of the most unfavorable cast—that Mr. Hastings had been slain at Benares, and that the English were everywhere routed. These reports, it was to be remarked, were of infinitely more consequence to the present argument than the facts which really occurred; but if any doubt remained on the mind of any man, it was only necessary to recur to a never-failing evidence, in that of Mr. Hastings against himself. In a letter to the council, which was on record, Mr. Hastings acknowledged, that from the 22d of August to the 22d of September, which included, of course, the time of Captain Gordon's liberation, he had been confined in a situation of the utmost hazard—that his safety, during that time, was extremely precarious; and that the affairs of the English were generally thought to be unfavorable in the extreme! In his defence, however, these admissions were totally forgotten. There was also an ob-

servable inconsistency in what was there alleged—that Colonel Hannay had written to the Begum in the style of supplication—because, in the desperate situation of affairs, he knew of no other which he could adopt; and yet, in the same sentence, it was averred that the Begum had procured the release of Captain Gordon—from her knowledge of the prosperous advances of our army! It appeared, therefore, beyond the possibility of a doubt, that those princesses had demonstrated the firmness of their attachment to the English, not in the moment of success—not from the impulse of fear, nor from the prospect of future protection; but at a time when the hoard of collected vengeance was about to burst over our heads; when the measure of European guilt in India appeared to be completely filled by the oppressions which had just then been exercised on the unfortunate Cheit Sing; and when offended heaven seemed to interfere, to change the meek disposition of the natives—to awaken their resentment—and to inspirit their revenge.

The second of the remaining parts of the charge against the Begums, was their having inflamed the jaghiredars. It was evident, however, even from the letters of Mr. Middleton himself, that no such aid was wanted to awaken resentments which must, unavoidably, have arisen from the nature of the business. There were many powerful interests concerned; the jaghires which were depending, were of a vast amount; and as their owners by the resumption would be reduced at once to poverty and distress, their own feelings were sufficient to produce every effect which had been described. It was idle, therefore, to ascribe to the Begums, without a shadow of proof, the inspiring of sentiments which must have

existed without their interference. "I shall not waste the time of the court," said Mr. Sheridan, "on such a subject, but appeal to your lordships, individually, to determine whether, on a proposal being made to confiscate your several estates—and the magnitude of the objects are not very unequal—the interference of any two ladies in this kingdom would be at all necessary to awaken your resentments, and to rouse you to opposition," etc.

The discontents which prevailed in the province of Oude had been also, and with similar justice, attributed to these princesses, and formed the third and last article of charge against them. But the conduct of the officers residing in that province; the repeated complaints from the natives; and the acknowledged rapacity of Colonel Hannay, left no difficulty in tracing those discontents to the source whence they had originated. The Nabob himself was so well convinced of the tyranny of Colonel Hannay, that on a proposition coming from Mr. Hastings to send him back into the province, the Nabob swore by Mahomet, "That if the colonel was sent back, he would quit the province and come to reside with Mr. Hastings." The Governor-General, some time after, sent an apology for the suggestion; but it was then too late—Colonel Hannay was dead—and the province was desolate!

"Should a stranger survey the land formerly Sujab Dowlah's, and seek the cause of its calamity—should he ask, what monstrous madness had ravaged thus, with widespread war—what desolating foreign foe—what disputed succession—what religious zeal—what fabled monster has stalked abroad, and with malice and mortal enmity to man, has withered with the gripe of death every

growth of nature and humanity—all the means of delight, and each original, simple principle of bare existence? The answer will be, if any answer dare be given—'No, alas! not one of these things!—no desolating foreign foe! —no disputed succession! no religious super-serviceable zeal! This damp of death is the mere effusion of British amity; we sink under the pressure of their support—we writhe under the gripe of their pestiferous alliance!'

"Thus they suffered, in barren anguish and ineffectual bewailings. And, 'O audacious fallacy!' says the defence of Mr. Hastings, 'What cause was there for any incidental ills, but their own resistance?' "

The cause was nature in the first-born principles of man. It grew with his growth! it strengthened with his strength! It taught him to understand; it enabled him to feel: for where there is human fate, can there be a penury of human feeling? Where there is injury, will there not be resentment? Is not despair to be followed by courage? The God of battles pervades and penetrates the inmost spirit of man, and rousing him to shake off the burden that is grievous, and the yoke that is galling, will reveal the law written in his heart, and the duties and privileges of his nature—the grand, universal compact of man with man! That power is delegated in trust, for the good of all who obey it—that the rights of men must arm against man's oppression, for that indifference were treason to human state; and patience, nothing less than blasphemy against the laws which govern the world.

That this representation was not exaggerated, would appear from the description of Major Naylor, who had succeeded Colonel Hannay, and who had previously saved him from the vengeance which the assembled ryots, or hus-

bandmen, were about to take on their oppressors. The progress of extortion, it appeared, had not been uniform in that province; it had absolutely increased as its resources failed; and as the labor of exaction became more difficult, the price of that increased labor had been charged as an additional tax on the wretched inhabitants! At length, even in their meek bosoms, where injury never before begot resentment, nor despair aroused to courage, increased oppression had its due effect. They assembled round their oppressor, and had nearly made him their sacrifice. So deeply were they impressed with the sense of their wrongs, that they would not even accept of life from those who had rescued Colonel Hannay. They presented themselves to the swords of the soldiery; and as they lay bleeding on the banks of their sacred stream, they comforted themselves with the ghastly hope that their blood would not descend into the soil, but that it would ascend to the view of the God of nature, and there claim a retribution for their wrongs!—Of a people thus injured, and thus feeling, it was an audacious fallacy to attribute the conduct to any external impulse.—That God who gave them the form of man implanted also the wish to vindicate the rights of man. Though simple in their manners, they were not so uninformed as not to know that power is in every state a trust reposed for the general good; and that the trust being once abused, it should of course be instantly resented.

The innocence of the Begums, Mr. Sheridan continued, being thus most indubitably and incontrovertibly proved, it could not be allowed that he argued fairly, if he did not immediately infer, from that proof, the guilt of Mr. Hastings. He would go so far as to admit that Mr. Hastings might have been deluded by his accomplices, and have

been persuaded into a conviction of a criminality which did not exist. If that were proved, he would readily agree to acquit the prisoner of the present charge. But if, on the contrary, there appeared in his subsequent conduct such a concealment as denoted the fullest consciousness of guilt; if all his narrations of the business were marked with inconsistency and contradiction; that mind must be inaccessible to conviction which could entertain a doubt of his criminality. From the month of September, in which the seizure of the treasures took place, until the January following, had Mr. Hastings wholly concealed the transaction from the council at Calcutta! If anything could be more singular than this concealment, it was the reasons by which it was afterward attempted to be justified.

Mr. Hastings first pleaded a want of leisure. He was writing to the council at a time when he complained of an absolute inaction—he found time to narrate some pretty Eastern tales, respecting the attachment of the sepoys to their cannon, and their dressing them with flowers on particular occasions; but of a rebellion which convulsed an empire—of the seizure of the treasures to such an amount—he could not find leisure to say one syllable, until he had secured an excuse for his conduct in the possession of the money. The second excuse was that all communication was cut off with Fyzabad; and this was alleged at the time when letters were passing daily between him and Mr. Middleton; and when Sir Elijah Impey had pronounced the road to be as free from interruption as that between London and Brentford. The third excuse was that Mr. Middleton had taken with him, on his departure from Chunar, all the original papers

which it was necessary for Mr. Hastings to consult. That the original papers had not been removed was evident, however, from Mr. Hastings sending a copy of the treaty of Chunar to Mr. Middleton, on the fourth day after the resident's departure; though it appeared that it was reinclosed at a proper time to Mr. Hastings, to be shown to the council. A copy of the same had been shown to the Oriental Grotius, Sir Elijah Impey, which he confessed his having read at the time when he declared his ignorance of the guarantee to the princesses of Oude! Looking to the absurdity of reasons such as these, assigned in defence of a silence so criminal, Mr. Sheridan declared that he would lay aside every other argument, that he would not dwell on any other topic of guilt, if the counsel for Mr. Hastings would but join issue on this point, and prove, to the satisfaction of the court, that any of these excuses were, in the smallest degree, sufficient for the purpose for which they were assigned.

Amid the other artifices of concealment was a letter from Colonel Hannay, dated October 17, 1781, which Mr. Sheridan indisputably proved could not have been written at the time; but was fabricated at a subsequent period; as it contained a mention of facts which could by no possibility have been known to Colonel Hannay at the time when it was pretended to have been written. Whatever else could be done for the purpose of concealment, was done in that mixture of canting and mystery, of rhapsody and enigma—Mr. Hastings' narrative of his journey to Benares. He there set out with a solemn appeal to heaven for the truth of his averments, and a declaration of the same purport to Mr. Wheeler—the faith, however, thus pledged, was broken both to God and man; for it was al-

ready in evidence that no single transaction had occurred as it was there stated!

The question would naturally occur to every person who had attended to these proceedings—"Why Mr. Hastings had used all these efforts to veil the whole of this business in mystery?" It was not strictly incumbent on him to answer the question, yet he would reply, that Mr. Hastings had obviously a bloody reason for the concealment. He had looked to the natural effect of strong injuries on the human mind: as, in the case of Cheit Sing, he thought that oppression must beget resistance; and the efforts which might be made by the Begums in their own defence, though really the effect, he was determined to represent as the cause of his proceedings. Even when disappointed in those aims by the natural meekness and submission of those with whom he was to act, he could not abandon the idea; and accordingly in his letter to the directors, of January 5, 1782, had represented the subsequent disturbances in Oude as the positive cause of the violent measures which he had adopted—two months before those disturbances had existence! He there congratulates his masters on the seizure of those treasures which, by the law of Mahomet, he assures them were the property of Asoph ul Dowlah. Thus the perturbed spirit of the Mohammedan law, according to Mr. Hastings' idea, still hovered round those treasures, and envied them to every possessor, until it at length saw them safely lodged within the sanctuary of the British treasury! In the same spirit of piety, Mr. Hastings had assured the House of Commons that the inhabitants of Asia believed that some unseen power interfered, and conducted all his pursuits to their destined end. That Providence, however, which

thus conducted the efforts of Mr. Hastings, was not the Providence to which others profess themselves indebted —which interferes in the cause of virtue, and insensibly leads guilt toward its punishment; it was not, in fine, that Providence

"Whose works are goodness, and whose ways are right."

The unseen power which protected Mr. Hastings, operated by leading others into criminality, which, as far as it respected the Governor-General, was highly fortunate in its effects. If the Rajah Nundcomar brings a charge against Mr. Hastings, Providence so orders it that the Rajah has committed a forgery some years before; which, with some friendly assistance, proves a sufficient reason to remove out of the way so troublesome an acquaintance. If the Company's affairs are deranged through the want of money, Providence ordains it so that the Begums, though unconsciously, fall into a rebellion, and give Mr. Hastings an opportunity of seizing on their treasures! Thus the successes of Mr. Hastings depended not on any positive merit in himself; it was to the inspired felonies, the heaven-born crimes, and the providential treasons of others that he was indebted for each success, and for the whole tenor of his prosperity!

It must undoubtedly bear a strange appearance, that a man of reputed ability should, even when acting wrongly, have had recourse to so many bungling artifices, and spread so thin a veil over his deceptions. But those who testified any surprise at this circumstance, must have attended but little to the demeanor of Mr. Hastings. Through the whole course of his conduct he seemed to have adhered to one general rule—to keep as clear as possible of the

fact which he was to relate! Observing this maxim, his only study was to lay a foundation as fanciful and as ornamental as possible—then by a superadded mass of fallacies, the superstructure was soon complete, though by some radical defect it never failed to tumble on his own head—rising from those ruins, however, he was soon found rearing a similar edifice, but with a like effect. Delighting in difficulties, he disdained the plain and secure foundation of truth; he loved, on the contrary, to build on a precipice, and encamp on a mine. Inured to falls, he felt not the danger; and frequent defeats had given him a hardihood, without impressing a sense of the disgrace.

It had been a maxim once as much admitted in the practice of common life as in the school of philosophy, that where heaven was inclined to destroy the vice, it began by debasing the intellect. This idea was carried still further by the right honorable gentleman (Mr. Burke) who opened the prosecution; who declared that prudence and vice were things absolutely incompatible—that the vicious man being deprived of his best energies, and curtailed in his proportion of understanding, was left with such a shortsighted degree of penetration as could not come under the denomination of prudence. This sentiment did honor to the name of his right honorable friend; "to whom," said Mr. Sheridan, "I look up with homage!—whose genius is commensurate with his philanthropy—whose memory will stretch itself beyond the fleeting objects of any little partial shuffling, through the whole wide range of human knowledge, and honorable aspiration after human good; as large as the system which forms life—as lasting as those objects that adorn."

But it was still to be remembered that there were other characters besides a Cæsar and a Cromwell; who, acting on determinations inimical to virtue, and hostile to the laws of society, had proceeded, if not with prudence, yet with an all-commanding sagacity that was productive of similar effects. Those, however, were isolated characters, which left the vice that dared to follow either in a state of despondent vassalage, or involved it in destruction. Such was the present instance of failure; and such it was always to be trusted would be that of every other who regarded such characters with an eye of emulation. Such was the perpetual law of nature, that virtue, whether placed in a circle more contracted or enlarged, moved with sweet consent in its allotted orbit; there was no dissonance to jar, no asperity to divide; and that harmony, which made its felicity, at the same time constituted its protection. Of vice, on the contrary, the parts were disunited, and each in barbarous language clamored for its pre-eminence. It was a scene where, though one domineering passion might have sway, the others still pressed forward with their dissonant claims, and in the moral world, effects still awaiting on their causes, the discord of course insured the defeat.

Mr. Sheridan reverted again to the subject of the claims made on the princesses of Oude. Whether those were first made by the Nabob, or suggested to him by his sovereign, Mr. Hastings, though the counsel had labored much to prove the former, appeared to him to carry very little difference. If the seizure was made as a confiscation and punishment for supposed guilt—then, if ever there was a crime which ought to pass "unwhipped of justice," it was that where a son must necessarily be made the instrument

of an infliction, by which he broke his covenant of existence, and violated the condition by which he held his rank in society. If, on the contrary, it was meant as a resumption, in consequence of a supposed right in the Nabob, then Mr. Hastings should have recollected the guarantee of the Company granted to the Begums; unless it was meant to be said that Mr. Hastings acted in that as in other instances; and assured them of his protection, until the very moment when it was wanted. It was idle, however, to dwell on the conduct or free agency of a man who, it was notorious, had no will of his own. What Mr. Middleton asserted at that bar would scarcely be put in competition with a series of established facts; by which it appeared that the Nabob had submitted to every indignity, and yielded to every assumption. It was an acknowledged fact, that he had even been brought to join in that paltry artifice which had been termed the subornation of letters. This practice was carried to such a length that he in the end complained, in a manner rather ludicrous, that he was really tired of sending different characters of Mr. Bristow, in pursuance of the directions sent to the resident. He had pronounced black white and white black so often that he really knew not what to say; and therefore begged that, once for all, the friends of Mr. Hastings might be considered as his, and that their enemies might also be the same. After this it was superfluous to argue that the Nabob could direct his views to so important an object as the seizing of the treasures, unless he had been impelled by Mr. Middleton, and authorized by Mr. Hastings!

TUESDAY, JUNE 10

MR. SHERIDAN said, that relying upon the attention with which he was honored the last time he had the honor of addressing their lordships, he would not recapitulate on this occasion what he had said on Friday, to show that the Nabob of Oude had been reduced by Mr. Hastings to the degraded state of a dependent prince who had no will of his own, but was obliged to pursue any measure which Mr. Hastings was pleased to dictate to him. The counsel for the prisoner had labored to impress their lordships with an idea that the Nabob was a prince, sovereignly independent, and in no degree subject to the control of Mr. Hastings; but after the numberless proofs that had been given of his being a cipher in the hands of the Governor-General, it would be incumbent on the counsel to prove his independence by very strong evidence indeed; and he believed that in the affair of the resumption of the jaghires, and the seizure of the treasures in particular, they would find it a very difficult matter to execute such a task. The honorable managers had asserted that the measure of seizing the treasures had originated with Mr. Hastings; and they had given in evidence many strong proofs in support of the assertion; it would be incumbent therefore on the counsel to prove that the measure had originated with the Nabob; and of that they could not give a more satisfactory proof than the paper or instrument in which it was originally proposed by him to Mr. Hastings. But as he believed no such proposition ever came from the Nabob as an original

measure, so he took it for granted the counsel could never produce any letter or paper from that prince, containing any such proposition, as coming immediately from himself.

The seizure of the treasures and the jaghires was the effect of a dark conspiracy, in which no more than six persons were concerned. Three of the conspirators were of a high order—these were Mr. Hastings, who might be considered as the principal leader in this black affair; Mr. Middleton, the English resident at Lucknow, and Sir Elijah Impey—the three inferior or subordinate conspirators were Hyder Beg Khan, the nominal minister of the Nabob, but in reality the creature of Mr. Hastings; Colonel Hannay, and Ali Ibrahim Khan.

Sir Elijah Impey was intrusted by Mr. Hastings to convey his orders to Mr. Middleton, and to concert with him the means of carrying them into execution. As this gentleman was a principal actor in this iniquitous affair, Mr. Sheridan thought it would be necessary to take notice of some parts of the evidence which he had delivered upon oath at their lordships' bar.

When Sir Elijah was asked what became of the Persian affidavits (sworn before him) after he had delivered them to Mr. Hastings, he replied that he really did not know. He was asked if he had got them translated, or knew of their having been translated, or had any conversation with Mr. Hastings on the subject of the affidavits? He replied that he knew nothing at all of their having been translated, and that he had no conversation whatever with Mr. Hastings on the subject of the affidavits after he had delivered them to him. He was next asked whether he did not think it a little singular that he should not have held any conversation with the Governor-General on a subject

of so much moment as was that of the affidavits he had taken? His answer was that he did not think it singular; and his reason for thinking to the contrary was, that he left Chunar the very day after he delivered the affidavits to Mr. Hastings. From this answer their lordships might infer that Sir Elijah, on quitting Chunar, had left the Governor-General behind him: but Mr. Sheridan said he would prove that this was by no means the case; for, from letters written by Sir Elijah himself, and which had been read in evidence, it appeared that he arrived at Chunar the 1st of December, 1781; that he then began to take affidavits; that having completed that business, he and Mr. Hastings left Chunar together, and set out on the road to Benares; and that, having been together from the 1st to the 6th of December, the former took leave of the latter, and proceeded on his way to Calcutta. Here Mr. Sheridan left their lordships to judge how far Sir Elijah Impey had or had not attempted to impose upon them, when he said that his reason for not thinking it singular that he should not have had any conversation with Mr. Hastings on the subject of the affidavits, after he had delivered them to that gentleman, was, that he left Chunar the very next day. The inference was, that therefore he could not have conversed with him—but now their lordships must see that such an inference would be false; as Sir Elijah Impey left Chunar in company with the Governor-General; and continued with him till the 6th of December. If then the answer made by Sir Elijah was so worded as to lead to a false inference, it would be for their lordships to judge whether the whole of his evidence on that point was or was not calculated to mislead and deceive them.

There was another part of the same gentleman's evidence which he would prove was not entitled to any credit from their lordships. Sir Elijah had sworn that he knew nothing of the Persian affidavits having been translated. Now it so happened that a letter from Major William Davy, the confidential secretary of Mr. Hastings and Persian translator, had been read to their lordships in evidence; from which it appeared that he had made an affidavit before Sir Elijah Impey himself, at Buxar, on the 12th of December, just six days after that gentleman and Mr. Hastings parted, the purport of which was, that the papers annexed to the affidavit were faithful translations of the Persian affidavits (also annexed) taken by Sir Elijah; the date (the 12th of December) appeared no fewer than six times in Major Davy's deposition, so that there could not be any mistake in it; it was sworn before Sir Elijah, and was signed by him; and yet that gentleman had sworn before their lordships that he had never heard of any translation of those Persian affidavits. Upon these two circumstances, Mr. Sheridan said, he would make only one remark, which had been used by a very great man, "That no one could tell where to look for truth if it could not be found on the judgment-seat, or know what to credit if the affirmation of a judge was not to be trusted."

Sir Elijah Impey, as he had observed before, was intrusted by Mr. Hastings to concert with Mr. Middleton the means of carrying into execution the orders of which Sir Elijah was the bearer from the Governor-General to the resident. These orders did not appear anywhere in writing; but their lordships had been made acquainted with the purport of them by the most satisfactory evidence:

they therefore knew that Mr. Middleton was, in obedience to them, to persuade the Nabob to propose, as from himself to Mr. Hastings, the seizure of the Begum's treasures. That this was the real fact would appear unquestionable, from the general tenor of Mr. Middleton's letters on the subject, and from Mr. Hastings' own account of the business in his defence. The latter appeared to be extremely at a loss how to act about the treasures. The (supposed) rebellion of the Begums made it extraordinary, that at the moment when he was confiscating their estates, he should stipulate that an annual allowance, equal to the produce of those estates, should be secured to them. He found himself embarrassed how to proceed also respecting the treasures; for, on the one hand, he did not wish to appear the principal mover in seizing them, and yet he did not hesitate to charge them with treason and rebellion, for which he might have seized them as forfeited to the state. In the latter case it looked as if he feared to do what the treason of the Begums would have justified him in doing. His embarrassment on this occasion proved that he was conscious of the injustice of his proceedings against those ladies. If they were notoriously in rebellion, there could not be any ground for his being ashamed of appearing in the measure of seizing their property: it was only the consciousness of their innocence that could make him afraid of undertaking what would bring upon him the execration of all ranks of people. In this perplexity he desired Sir Elijah Impey would instruct Mr. Middleton to urge the Nabob to propose, as from himself, the seizure of the treasures. The unhappy prince, without a will of his own, consented to make the proposal, as an alternative for the resumption of the jaghires—a measure to which he had

the most unconquerable reluctance. Mr. Hastings, as it were to indulge the Nabob, agreed to the proposal, rejoicing at the same time that his scheme had proved so far successful as that this proposition, coming from the Nabob, would, as he thought, free him (Mr. Hastings) from the odium of plundering the princesses. But the artifice was too shallow, and their lordships were now able to trace the measure to its source. They were now apprised, from the evidence, that Mr. Hastings had suggested it to Sir Elijah Impey, that he might suggest it to Mr. Middleton, that he might suggest it to the Nabob, that his highness might suggest it to Mr. Hastings; and thus suggestion returned to the place from which it originally set out. One single passage from a letter written by Mr. Middleton to Mr. Hastings, on the 2d of December, 1781, would make this point appear as clear as day. In this passage Mr. Middleton informed the Governor-General, "That the Nabob, wishing to evade the measure of resuming the jaghires, had sent him a message to the following purport—that if the measure proposed was intended to procure the payment of the balance due to the Company, he could better and more expeditiously effect that object, by taking from his mother the treasures of his father, which he asserted to be in her hands; and to which he claimed a right founded in the laws of the Koran; and that it would be sufficient that he (Mr. Hastings) would hint his opinion upon it, without giving a formal sanction to the measure proposed. Mr. Middleton added, the resumption of the jaghires it is necessary to suspend, till I have your answer to this letter."

Upon this letter, Mr. Sheridan said, he had some ob-

servations to submit. In the first place, it was clear that though the Nabob had consented to make the desired proposal for seizing the treasures, it was only an alternative; for it entered into the Nabob's head both to seize the treasures and resume the jaghires; the former measure he wished to substitute in the room of the latter, and by no means to couple them together; but Mr. Hastings was too nice a reasoner for the prince—for he insisted that one measure should be carried into execution because the Nabob had proposed it, and the other because he himself determined upon it; and thus each party found his alternative adopted.

Another remark upon this letter was that here the Nabob was still taught to plead his right to the treasures, as founded upon the laws of the Koran; but not a word was said about the guarantee and treaty that had barred or extinguished that right, whatever it might have been. But if all that Mr. Hastings would have the world believe was true, he had a much better claim, against which the treaty and guarantee could not be pleaded—and that was the treason of the Begums, by which they had forfeited all their property to the state, and every claim upon the English protection. But upon this right by forfeiture the Nabob was silent—he was a stranger to rebellion, and to the treason of his parents, and therefore was reduced to the necessity of reviving a claim under the laws of the Koran, which the treaty and guarantee had forever barred.

The last observation with which he would trouble their lordships was upon the very remarkable expression contained in this letter—"That it would be sufficient to hint his (Mr. Hastings') opinion upon it, without giving a for-

mal sanction to the measure proposed." Why this caution? If the Begums had been guilty of treason, why should he be fearful of declaring to the world, that it was not the practice of the English to protect rebellious subjects and prevent their injured sovereigns from proceeding against them according to law? That therefore he considered the treaty and guarantee, by which the Begums held their property, as no longer binding upon the English Government, who consequently could have no further right to interfere between the Nabob and his rebellious parents, but ought to leave him at liberty to punish or forgive them as he should think fit. But, instead of holding this language, which manliness and conscious integrity would have dictated, had he been convinced of the guilt of the Begums, Mr. Hastings wished to derive all possible advantage from active measures against the Begums, and, at the same time, so far to save appearances as to be thought passive in the affair.

Mr. Sheridan remarked, that in another passage of the same letter upon which he had just made these observations, Mr. Middleton informed the Governor-General that he sent him at the same time a letter from the Nabob on the subject of seizing the treasures; but this letter had been suppressed. Mr. Sheridan called upon the counsel for the prisoner to produce it, and then it would speak for itself; or to account satisfactorily to their lordships for its not having been entered upon the Company's records. But this, he said, was not the only suppression of which he had reason to complain; the affidavit of Goulass Roy, who lived at Fyzabad, the residence of the Begums, and who was known to be their enemy, was suppressed. No person could be so well informed of their guilt, if they

had been guilty, as Goulass Roy, who lived upon the spot where levies were said to have been made for Cheit Sing by order of the Begums. Therefore, if his testimony had not destroyed the idea of a rebellion on the part of the Begums, there was no doubt but it would have been carefully preserved. The information of Mr. Scott had also been suppressed. That gentleman had lived unmolested at Saunda, where Sumpshire Khan commanded for the Begums, and where he had carried on an extensive manufacture without the least hindrance from this (supposed) disaffected governor, Sumpshire Khan. Mr. Scott was at Saunda when Captain Gordon arrived there, and when it was said that the governor pointed the guns of the fort upon Captain Gordon's party. If this circumstance had really happened, Mr. Scott must have heard of it, as he was himself at the time under the protection of those very guns. Why, then, was not the examination of this gentleman produced? He believed their lordships were satisfied that if it had supported the allegations against Sumpshire Khan, it would not have been suppressed.

Mr. Sheridan said, it was not clear to him that, servile a tool as Mr. Middleton was, Mr. Hastings had thought proper to intrust him with every part of his intentions throughout the business of the Begums; he certainly mistrusted, or pretended to mistrust him, in his proceedings relative to the resumption of the jaghires, when it began to be rumored abroad that terms so favorable to the Nabob, as he obtained in the treaty of Chunar, by which Mr. Hastings consented to withdraw the temporary brigade, and to remove the English gentlemen from Oude, would never have been granted, if the Nabob had not bribed the parties concerned in the negotiation to betray the interest

of the Company. As soon as these rumors reached the ears of Mr. Hastings he accused Mr. Middleton and his assistant-resident, Mr. Johnson, with having accepted bribes from the Nabob. They both joined in the most solemn assurances of their innocence, and called God to witness the truth of their declarations. Mr. Hastings, after this, appeared satisfied; possibly the consciousness that he had in his own pocket the only bribe which had been given on the occasion (the £100,000), might have made him the less earnest in prosecuting any further inquiry into the business.

From a passage in a letter from Mr. Hastings, it was clear he did not think proper to commit to writing all the orders that he wished Mr. Middleton to execute; for there Mr. Hastings expressed his doubts of that person's "firmness and activity; and, above all, of his recollection of his instructions, and their importance; and said, that if he (Mr. Middleton) could not rely on his own power, and the means he possessed for performing those services, he would free him from the charge, and would proceed himself to Lucknow, and would himself undertake them."

Their lordships must presume that the instructions alluded to must have been verbal; for had they been written, there was no danger of their having been forgotten. Here Mr. Sheridan called upon the counsel to state what those instructions were which were of so much importance—which the governor was greatly afraid Mr. Middleton would not recollect—and which, nevertheless, he did not dare to commit to writing, although it would have been the most effectual way to prevent him from forgetting them.

To make their lordships understand some other expres-

sions in the above passage, Mr. Sheridan recalled to their memory that it had appeared in the evidence that Mr. Middleton had a strong objection to the resumption of the jaghires, which he thought a service of so much danger that he removed Mrs. Middleton and her family when he was about to enter upon it; for he expected resistance not only from the Begums, but from the Nabob's own aumeels, who, knowing that the Nabob was a reluctant instrument in the hands of the English, thought they would please him by resisting a measure to which they knew he had given his authority against his will; in a word, Mr. Middleton expected that the whole country, as one man, would rise against him; and therefore it was that he suspended the execution of the order of resumption, until he should find whether the seizing of the treasures, proposed as an alternative, would be accepted as such. Mr. Hastings pressed him to execute the order for resuming the jaghires, and offered to go himself upon that service, if the other should decline it. Mr. Middleton at last having received a thundering letter from Mr. Hastings, by which he left him to act under "a dreadful responsibility," set out for Fyzabad. For all the cruelties and barbarities that were executed there, the Governor-General in his narrative said he did not hold himself responsible, because he had commanded Mr. Middleton to be personally present during the whole of the transaction, until he should have completed the business of seizing the treasures and resuming the jaghires. But for what purpose had he ordered Mr. Middleton to be present? He would answer by quoting the orders verbatim. "You yourself must be personally present—you must not allow any negotiation or forbearance, but must prosecute both services until the

Begums are at the entire mercy of the Nabobs." These peremptory orders, given under a "dreadful responsibility," were not issued for purposes of humanity, that the presence of the resident might restrain the violence of the soldiers, but that Mr. Middleton should be a watch upon the Nabob, to steel his heart against the feelings of returning nature in his breast, and prevent the possibility of his relenting, or granting any terms to his mother and grandmother. This was the abominable purpose for which Mr. Hastings had commanded him to be present in person; and, on account of his presence for such an end, Mr. Hastings pleaded that he was not responsible for what was done on that occasion at Fyzabad.

FRIDAY, JUNE 13

MR. SHERIDAN began by apologizing for the interruption which his indisposition had caused on the former day. He assured their lordships, in the strongest terms, that nothing but the importance of the cause, to which he felt himself totally unable to do justice, could have made him trespass on that indulgence which, on other occasions, he had so amply experienced.

He had then concluded, with submitting to their lordships the whole of the correspondence, as far as it could be obtained, between the principals and agents, in the nefarious plot carried on against the Nabob Vizier and the Begums of Oude. These letters were worthy the most abstracted attention of their lordships, as containing not only a narrative of that foul and unmanly conspiracy, but also

a detail of the motives and ends for which it was formed, and an exposition of the trick, the quibble, the prevarication, and the untruth with which it was then acted, and now attempted to be defended! The question would undoubtedly suggest itself, why the correspondence ever was produced by the parties against whom it was now adduced in evidence, and who had so much reason to distrust the propriety of their own conduct? To this the answer was, that it was owing to a mutual and providential resentment which had broken out between the parties, which was generally the case between persons concerned in such transactions. Mr. Middleton was incensed, and felt as a galling triumph the confidence reposed by the Governor-General in other agents. Mr. Hastings was offended by the tardy wariness which marked the conduct of Middleton; by the various remonstrances by the agent—though as knowing the man to whom they were addressed, they were all grounded on motives of policy—not of humanity—and of expediency, which left justice entirely out of the question; but the great ostensible ground of quarrel was, that Middleton had dared to spend two days in negotiation—though that delay had prevented the general massacre of upward of two thousand persons! The real cause, however, of this difference, was a firm belief on the part of Mr. Hastings, that Mr. Middleton had inverted their different situations, and kept the lion's share of plunder to himself. There were, undoubtedly, some circumstances to justify this suspicion. At the time when Mr. Hastings had first complained the Nabob's treasury was empty, and his troops so mutinous for their pay as even to threaten his life, yet in this moment of gratitude and opulence, Middleton intimated the Nabob's desire to make Mr. Hastings

a present of £100,000. That sacrifice, however, not being deemed sufficient, Mr. Middleton was recalled, and Major Palmer was sent in his room with instructions to tell the Nabob that such a donation was not to be attempted: the prince, however, with an unfortunate want of recollection, said, that "no such offer had ever been in his mind." Thus, it had always been considered as the heightening of a favor bestowed, that the receiver should not know from what quarter it came; but it was reserved for Mr. Middleton to improve on this by such a delicate refinement, that the person giving should be totally ignorant of the favor he conferred!

But notwithstanding these little differences and suspicions, Mr. Hastings and Mr. Middleton, on the return of the latter to Calcutta in October, 1782, continued to live in the same style of friendly collusion, and fraudulent familiarity as ever. But when Mr. Bristow, not answering the purposes of Mr. Hastings, was accused on the suborned letters procured from the Nabob, one of which pronounced him the blackest character in existence, while another, of the same date, spoke of him as a very honest fellow, Mr. Hastings thought it might appear particular; and, therefore, after their intimacy of six months, accuses Mr. Middleton also before the board at Calcutta. It was then that in the rash eagerness which distinguished his pursuit of every object, Mr. Hastings had incautiously, but happily for the present purposes of justice, brought forth these secret letters. It mattered not what were the views which induced Mr. Hastings to bring that charge; whether he had drawn up the accusation, or obliged Mr. Middleton with his aid in framing a defence; the whole ended in a repartee, and a poetical quotation from the

Governor-General. The only circumstance material to the purposes of humanity, was the production of instruments by which those who had violated every principle of justice and benevolence were to see their guilt explained, and it was to be hoped, to experience that punishment which they deserved.

To those private letters it was that their lordships were to look for whatever elucidation of the subject could be drawn from the parties concerned: written in the moments of confidence, they declared the real motive and object of each measure; the public letters were only to be regarded as proofs of guilt, whenever they established a contradiction. The counsel for the prisoner had chosen, as the safest ground, to rely on the public letters, written for the concealment of fraud and purpose of deception. They had, for instance, particularly dwelt on a public letter from Mr. Middleton, dated in December, 1781, which intimated some particulars of supposed contumacy in the Begums, with a view to countenance the transactions which shortly after took place, and particularly the resumption of the jaghires. But this letter both Sir Elijah Impey and Mr. Middleton had admitted, in their examination at that bar, to be totally false; though if it were in every point true, the apprehension of resistance to a measure could not by any means be made a ground for the enforcement of that measure in the first instance. The counsel seemed displeased with Mr. Middleton for the answer, and therefore repeated the question. The witness, however, did not really fall into their humor; for he declared that he did not recollect a particle of the letter; and though memory was undoubtedly not the forte of Mr. Middleton, he was not, perhaps, entirely faulty on

this occasion, as the letter was certainly of a later fabrication, and perhaps not from his hand. This letter, however, was also in direct contradiction to every one of the defences set up by Mr. Hastings.—Another public letter, which had been equally dwelt on, spoke of the "determination of the Nabob" to resume the jaghires. It had appeared in evidence that the Nabob could by no means be
3 compelled to yield to their measures—that it was not until Mr. Middleton had actually issued his own perwannas for the collection of the rents, that the Nabob, rather than be brought to the utmost state of degradation, agreed to let the measure be brought forward as his own act! The resistance of the Begums to that measure was noticed in the same letter as an instance of female levity—as if their defence of the property assigned for their subsistence was to be made a reproach—or that they deserved a reproof for female lightness, by entertaining a feminine objection to their being starved!

This resistance to the measure, which was expected, and the consoling slaughter on which Mr. Hastings relied, were looked to in all those letters as a justification of the measure itself. There was not the smallest mention of the anterior rebellion, which by prudent afterthought had been so greatly magnified. There was not a syllable of those dangerous machinations which were to have dethroned the Nabob; of those sanguinary artifices by which the English were to have been extirpated.—Not a particle concerning those practices was mentioned in any of Middleton's letters to Hastings, or in the still more confidential communication which he maintained with Sir Elijah Impey; though after the latter his letters were continually posting, even when the chief-justice was travelling round

the country in search of affidavits. When on the 28th of November, he was busied at Lucknow on that honorable business, and when three days after, he was found at Chunar, at the distance of two hundred miles, prompting his instruments, and like Hamlet's ghost exclaiming—"Swear!"—his progress on that occasion was so whimsically sudden, when contrasted with the gravity of his employ, that an observer would be tempted to quote again from the same scene—"Ha! Old Truepenny, canst thou mole so fast i' the ground?"—Here, however, the comparison ceased—for when Sir Elijah made his visit to Lucknow, "to whet the almost blunted purpose" of the Nabob, his language was wholly different from that of the poet—it would have been much against his purpose to have said,

> "Taint not thy mind, nor let thy soul contrive
> Against thy mother aught!"

On the subject of those affidavits, he would only make another single observation. Sir Elijah Impey had denied all acquaintance with their contents, though he had been actually accompanied to Buxar by Major Davy, who there translated them from the Persian, for the use of Mr. Hastings! There was among them an affidavit, taken in English, from a native at Buxar, but which was first explained to the deponent by Major Davy in the presence of Sir Elijah Impey. How far therefore the assertion of the chief-justice was plausible, and how far this fact was consistent with that assertion, he should leave it to their lordships to determine.

It was in some degree observable that not one of the private letters of Mr. Hastings had been produced at any

time. Even Middleton, when all confidence was broken between them by the production of his private correspondence at Calcutta, either feeling for his own safety, or sunk under the fascinating influence of his master, did not dare attempt a retaliation! The letters of Middleton, however, were sufficient to prove the situation of the Nabob, when pressed to the measure of resuming the jaghires, in which he had been represented as acting wholly from himself. He was there described as lost in sullen melancholy—with feelings agitated beyond expression, and with every mark of agonized sensibility. To such a degree was this apparent, that even Middleton was moved to interfere for a temporary respite, in which he might be more reconciled to the measure. "I am fully of opinion," said he, "that the despair of the Nabob must impel him to violence; I know also that the violence must be fatal to himself; but yet I think, that with his present feelings he will disregard all consequences." Mr. Johnson also, the assistant-resident, wrote at the same time to Mr. Hastings, to aver to him that the measure was dangerous, that it would require a total reform of the collection, which could not be made without a campaign! This was British justice! this was British humanity! Mr. Hastings insures to the allies of the Company, in the strongest terms, their prosperity and his protection; the former he secures by sending an army to plunder them of their wealth and to desolate their soil! His protection is fraught with a similar security, like that of a vulture to a lamb; grappling in its vitals! thirsting for its blood! scaring off each petty kite that hovers round; and then, with an insulting perversion of terms, calling sacrifice protection!—an object for which history seeks for any similarity in vain. The deep searching

annals of Tacitus; the luminous philosophy of Gibbon; all the records of man's transgressing, from original sin to the present period, dwindle into comparative insignificance of enormity, both in aggravation of vile principles, and extent of their consequential ruin! The victims of this oppression were confessedly destitute of all power to resist their oppressors; but that debility, which from other bosoms would have claimed some compassion, with respect to the mode of suffering, here excited but the ingenuity of torture! Even when every feeling of the Nabob was subdued, nature made a lingering, feeble stand within his bosom; but even then that cold, unfeeling spirit of magnanimity, with whom his doom was fixed, returned with double acrimony to its purpose, and compelled him to inflict on a parent that destruction, of which he was himself reserved but to be the last victim!

Yet, when cruelty seemed to have reached its bounds, and guilt to have ascended to its climax, there was something in the character of Mr. Hastings which seemed to transcend the latter, and overleap the former; and of this kind was the letter to the Nabob which was despatched on this occasion. To rebuke Mr. Middleton for his moderation, as was instantly done, was easily performed through the medium of a public and a private letter. But to write to the Nabob in such a manner that the command might be conveyed, and yet the letter afterward shown to the world, was a task of more difficulty, but which it appeared by the event was admirably suited to the genius of Mr. Hastings. His letter was dated the 15th of February, 1782, though the jaghires had been then actually seized; and it was in proof that it had been sent at a much earlier period. He there assured the Nabob of his

coincidence with his wishes respecting the resumption of the jaghires; he declares, that if he found any difficulty in the measure, he, Mr. Hastings, would go to his assistance in person, and lend his aid to punish those who opposed it; "for that nothing could be more ardent than his friendship, or more eager than his zeal for his welfare." The most desperate intention was clothed in the mildest language. But the Nabob knew, by sad experience, the character with whom he had to deal, and therefore was not to be deceived; he saw the dagger glistening in the hand which was treacherously extended, as if to his assistance, and from that moment the last faint ray of nature expired in his bosom. Mr. Middleton from that time extended his iron sceptre without resistance; the jaghires were seized—every measure was carried—and the Nabob, with his feelings lacerated and his dignity degraded, was no longer considered as an object of regard. Though these were circumstances exasperating to the human heart which felt the smallest remains of sensibility, yet it was necessary, in idea, to review the whole from the time that this treachery was first conceived, to that when, by a series of artifices the most execrable, it was brought to a completion. Mr. Hastings would there be seen standing aloof indeed, but not inactive in the war! He would be discovered in reviewing his agents, rebuking at one time the pale conscience of Mr. Middleton, and at another relying on the stouter villany of Hyder Beg Khan. With all the calmness of veteran delinquency, his eye ranged through the busy prospect, piercing through the darkness of subordinate guilt, and arranging with congenial adroitness the tools of his crimes, and the instruments of his cruelty.

The feelings of the several parties at the time would be most properly judged of by their respective correspondence. When the Bow Begum, despairing of redress from the Nabob, addressed herself to Mr. Middleton, and reminded him of the guarantee which he had signed, she was instantly promised that the amount of her jaghire should be made good; though Mr. Middleton said he could not interfere with the sovereign decision of the Nabob respecting the lands. The deluded and unfortunate woman "thanked God that Mr. Middleton was at hand for her relief," at the very instant when he was directing every effort to her destruction; when he had actually written the orders which were to take the collection out of the hands of her agents! Even when the Begum was undeceived—when she found that British faith was no protection—when she found that she should leave the country, and prayed to the god of nations not to grant his peace to those who remained behind, still there was no charge of rebellion—no recrimination made to all her reproaches for the broken faith of the English—nay, when stung to madness, she asked "how long would be their reign"? No mention of her disaffection was brought forward; the stress was therefore idle, which the counsel for the prisoner strove to lay on these expressions of an injured and enraged woman. When, at last, irritated beyond bearing, she denounced infamy on the heads of her oppressors, who was there who would not say that she spoke in a prophetic spirit, and that what she had then predicted had not even to its last letter been accomplished! But did Mr. Middleton, even to this violence, retort any particle of accusation? No; he sent a jocose reply, stating that he had received such a letter under her

seal, but that from its contents he could not suspect it to come from her; and hoping, therefore, that she might detect the forgery! Thus did he add to foul injuries the vile aggravation of a brutal jest; like the tiger that prowls over the scene where his ravages were committed, he showed the savageness of his nature by grinning over his prey, and fawning over the last agonies of his unfortunate victim.

Those letters were then inclosed to the Nabob, who, no more than the rest, made any attempt to justify himself by imputing criminality to the Begums. He merely sighed a hope that his conduct to his parents had drawn no shame upon his head; and declared his intention to punish—not any disaffection in the Begum—but some officious servants who had dared to foment the misunderstanding between them and the Nabob. A letter was finally sent to Mr. Hastings, about six days before the seizure of the treasure from the Begums, declaring their innocence, and referring the Governor-General to Captain Gordon, whose life they had protected, and whose safety should have been their justification. That inquiry was never made; it was looked on as unnecessary; because the conviction of their innocence was too deeply impressed!

The counsel, in recommending attention to the public in preference to the private letters, had remarked, in particular, that one letter should not be taken as evidence, because it was manifestly and abstractedly private, as it contained in one part the anxieties of Mr. Middleton for the illness of his son. This was a singular argument, indeed; and the circumstance, in his mind, merited strict observation, though not in the view in which it was placed by the counsel. It went to show that some, at least, of those concerned in these transactions, felt the

force of those ties which their efforts were directed to tear asunder—that those who could ridicule the respective attachment of a mother and a son—who would prohibit the reverence of the son to the mother who had given him life—who could deny to maternal debility the protection which filial tenderness should afford!—were yet sensible of the straining of those chords by which they were connected. There was something connected with this transaction so wretchedly horrible, and so vilely loathsome, as to excite the most contemptible disgust. If it were not a part of his duty, it would be superfluous to speak of the sacredness of the ties which those aliens to feeling—those apostates to humanity—had thus divided. In such an assembly as that which I have the honor of addressing, there is not an eye but must dart reproof at this conduct—not a heart but must anticipate its condemnation. "*Filial piety!*—It is the primal bond of society—it is that instinctive principle which, panting for its proper good, soothes, unbidden, each sense and sensibility of man!—it now quivers on every lip!—it now beams from every eye!—it is an emanation of that gratitude which, softening under the sense of recollected good, is eager to own the vast countless debt it ne'er, alas! can pay, for so many long years of unceasing solicitudes, honorable self-denials, life-preserving cares!—it is that part of our practice where duty drops its awe!—where reverence refines into love!—it asks no aid of memory!—it needs not the deductions of reason!—pre-existing, paramount over all, whether law, or human rule, few arguments can increase and none can diminish it!—it is the sacrament of our nature!—not only the duty, but the indulgence of man—it is his first great privilege—it is among his last most endearing

delights!—it causes the bosom to glow with reverberated love!—it requites the visitations of nature, and returns the blessings that have been received!—it fires emotion into vital principle—it renders habituated instinct into a master-passion—sways all the sweetest energies of man—hangs over each vicissitude of all that must pass away—aids the melancholy virtues in their last sad tasks of life, to cheer the languors of decrepitude and age—explores the thought—elucidates the aching eye!—and breathes sweet consolation even in the awful moment of dissolution!"

The jaghires being seized, Mr. Sheridan proceeded to observe, the Begums were left without the smallest share of that pecuniary compensation promised by Mr. Middleton; and as, when tyranny and injustice take the field, they are always attended by their camp-followers, paltry pilfering, and petty insult—so, in this instance, the goods taken from them were sold at a mock sale at inferior value. Even gold and jewels, to use the language of the Begums, instantly lost their value when it was known that they came from them! Their ministers were therefore imprisoned to extort the deficiency which this fraud had occasioned; and those mean arts were employed to justify a continuance of cruelty. Yet, these again were little to the frauds of Mr. Hastings. After extorting upward of £600,000, he forbade Mr. Middleton to come to a conclusive settlement. He knew that the treasons of our allies in India had their origin solely in the wants of the Company. He could not, therefore, say that the Begums were entirely innocent, until he had consulted the general record of crimes!—the cash account at Calcutta! And this prudence of Mr. Hastings was fully justified by the event; for there was actually found a balance of twenty-six lacs

more against the Begums, which £260,000 worth of treason had never been dreamed of before: "Talk not to us," said the Governor-General, "of their guilt, or innocence, but as it suits the Company's credit! We will not try them by the code of Justinian, nor the institutes of Timur—we will not judge them either by the British laws, or their local customs! No! we will try them by the multiplication table—we will find them guilty by the rule of three—and we will condemn them according to the sapient and profound institutes of—Cocker's Arithmetic!"

Proceeding next to state the distresses of the Begums in the zenana, and of the women in the Khord Mahal, Mr. Sheridan stated that some observation was due to the remark made by Mr. Hastings in his defence, where he declared "that whatever were the distresses there, and whoever was the agent, the measure was, in his opinion, reconcilable to justice, honor, and sound policy." Major Scott, the incomparable agent of Mr. Hastings, had declared this passage to have been written by Mr. Hastings with his own hand. Mr. Middleton, it appeared, had also avowed his share in those humane transactions, and blushingly retired. Mr. Hastings then cheered his drooping spirits. "Whatever part of the load," said he, "yours cannot bear, my unburdened character shall assume. I will crown your labors with my irresistible approbation. Thus, twin-warriors, we shall go forth! you find memory, and I'll find character—and assault, repulse, and contumely shall all be set at defiance!"

If I could not prove, continued Mr. Sheridan, that those acts of Mr. Middleton were in reality the acts of Mr. Hastings, I should not trouble your lordships by combating these assertions; but as that part of his criminality

can be incontestibly ascertained, I shall unequivocally appeal to the assembled legislators of this realm, and call on them to say whether those acts were justifiable on the score of policy. I shall appeal to all the august presidents in the courts of British jurisprudence, and to all the learned ornaments of the profession, to decide whether these actions were reconcilable to justice. I shall appeal to a reverend assemblage of prelates, feeling for the general interests of humanity, and for the honor of the religion to which they belong—let them determine in their own minds whether those acts of Mr. Hastings and Mr. Middleton were such as a Christian ought to perform, or a man to avow!

He next detailed the circumstances of the imprisonment of Bahr Ally Khan and Jewar Ally Khan, the ministers of the Nabob, on the grounds above stated; with them was confined that arch-rebel, Sumpshire Khan, by whom every act of hostility that had taken place against the English was stated to have been committed. No inquiry, however, was made concerning his treason, though many had been held respecting the treasure of the others. He was not so far noticed as to be deprived of his food; nor was he even complimented with fetters! and yet, when he is on a future day to be informed of the mischiefs he was now stated to have done, he must think that on being forgotten he had a very providential escape! The others were, on the contrary, taken from their milder prison at Fyzabad; and when threats could effect nothing, transferred by the meek humanity of Mr. Middleton to the fortress of Chunargur. There, where the British flag was flying, they were doomed to deeper dungeons, heavier chains, and severer punishments—there, where that flag was flying which was wont to cheer the depressed, and to

elate the subdued heart of misery, these venerable but unfortunate men were fated to encounter something lower than perdition, and something blacker than despair! It appeared from the evidence of Mr. Holt and others that they were both cruelly flogged, though one was about seventy years of age, to extort a confession of the buried wealth of the Begums! Being charged with disaffection, they proclaimed their innocence. "Tell us where are the remaining treasures (was the reply)—it is only treachery to your immediate sovereigns—and you will then be fit associates for the representatives of British faith and British justice in India!"—"O Faith! O Justice!" exclaimed Mr. Sheridan, "I conjure you, by your sacred names, to depart for a moment from this place, though it be your peculiar residence; nor hear your names profaned by such a sacrilegious combination as that which I am now compelled to repeat!—where all the fair forms of nature and art, truth and peace, policy and honor, shrunk back aghast from the deleterious shade!—where all existences, nefarious and vile, had sway!—where, amid the black agents on one side, and Middleton with Impey on the other, the toughest head, the most unfeeling heart! the great figure of the piece, characteristic in his place, stood aloof and independent from the puny profligacy in his train!—but far from idle and inactive—turning a malignant eye on all mischief that awaited him!—the multiplied apparatus of temporizing expedients, and intimidating instruments! now cringing on his prey and fawning on his vengeance!—now quickening the limpid pace of craft, and forcing every stand that retiring nature can make in the heart! violating the attachments and the decorums of life! sacrificing every emotion of tenderness and honor! and

flagitiously levelling all the distinctions of national characteristics! with a long catalogue of crimes and aggravations, beyond the reach of thought for human malignity to perpetrate, or human vengeance to punish!

It might have been hoped, for the honor of the human heart, that the Begums had been themselves exempted from a share in these sufferings; and that they had been wounded only through the sides of their ministers. The reverse of this, however, was the fact. Their palace was surrounded by a guard, which was withdrawn by Major Gilpin, to avoid the growing resentments of the people, and replaced by Mr. Middleton, through his fears from that "dreadful responsibility" which was imposed on him by Mr. Hastings. The women of the Khord Mahal, who had not been involved in the Begums' supposed crimes; who had raised no sub-rebellion of their own; and who, it had been proved, lived in a distinct dwelling, were causelessly involved in the same punishment; their residence surrounded with guards, they were driven to despair by famine, and when they poured forth in sad procession, were driven back by the soldiery, and beaten with bludgeons to the scene of madness which they had quitted. These were acts, Mr. Sheridan observed, which, when told, needed no comment; he should not offer a single syllable to awaken their lordships' feelings; but leave it to the facts which had been proved, to make their own impressions.

The argument now reverted solely to this point, whether Mr. Hastings was to be answerable for the crimes committed by his agent? It had been fully proved that Mr. Middleton had signed the treaty with the superior Begum in October, 1778. He had acknowledged signing some others of other dates, but could not recollect his authority. These

treaties had been fully recognized by Mr. Hastings, as was fully proved by the evidence of Mr. Purling, in the year 1780. In that of October, 1778, the jaghire was secured which was allotted for the support of the women in the Khord Mahal: on the first idea of resuming these jaghires a provision should have been secured to those unfortunate women; and in this respect Mr. Hastings was clearly guilty of a crime, by his omission of making such provision. But still he pleaded that he was not accountable for the cruelties which had been exercised. This was the plea which Tyranny, aided by its prime minister Treachery, was always sure to set up. Mr. Middleton had attempted to strengthen this plea by endeavoring to claim the whole infamy of those transactions, and to monopolize the guilt! He dared even to aver that he had been condemned by Mr. Hastings for the ignominious part he had acted: he dared to avow this, because Mr. Hastings was on his trial, and he thought he should never be tried—but in the face of the court, and before he left the bar, he was compelled to confess that it was for the lenience, not the severity, of his proceedings, that he had been reproved by Mr. Hastings.

It would not, he trusted, be argued that because Mr. Hastings had not marked every passing shade of guilt, and because he had only given the bold outline of cruelty, that he was therefore to be acquitted. It was laid down by the law of England—that law which was the perfection of reason—that a person ordering an act to be done by his agent, was answerable for that act with all its consequences. Middleton had been appointed, in 1777, the avowed and private agent—the second-self—of Mr. Hastings. The Governor-General had ordered the measure: Middleton declared that it could not have been ef-

fected by milder means. Even if he never saw, nor heard afterward of the consequences of the measure, he was answerable for every pang that was inflicted, and for all the blood that was shed. But he had heard, and that instantly, of the whole. He had written to arraign Middleton of forbearance and of neglect! He commanded them to work upon their hopes and fears, and to leave no means untried, until—to speak their own language, but which would be better suited to the banditti of a cavern—"they obtained possession of the secret hoards of the old ladies." He would not allow even of a delay of two days to smooth the compelled approaches of a son to his mother, on such an occasion! His orders were peremptory; and if a massacre did not take place, it was the merit of accident, and not of Mr. Hastings. After this would it be said that the prisoner was ignorant of the acts, or not culpable for their consequences? It was true, he had not enjoined in so many words the guards, the famine, and the bludgeons; he had not weighed the fetters, nor numbered the lashes to be inflicted on his victims. But yet he was equally guilty, as if he had borne an active and personal share in each transaction. It was as if he had commanded that the heart should be torn from the bosom, and yet had enjoined that no blood should follow. He was in the same degree accountable to the law, to his country, to his conscience, and to his God!

Mr. Hastings had endeavored also to get rid of a part of his guilt, by observing that he was but one of the supreme council; and that all the rest had sanctioned those transactions with their approbation. If Mr. Hastings could prove, however, that others participated in the guilt, it would not tend to diminish his own criminality. But the

fact was, that the council had in nothing erred so much as in a criminal credulity given to the declarations of the Governor-General. They knew not a word of those transactions until they were finally concluded. It was not until the January following that they saw the mass of falsehood which had been published under the title of "Mr. Hastings' Narrative." They had been then unaccountably duped into the suffering a letter to pass, dated the 29th of November, intended to deceive the directors into a belief that they had received intelligence at that time, which was not the fact. These observations, Mr. Sheridan said, were not meant to cast any obloquy on the council; they had undoubtedly been deceived, and the deceit practiced on them by making them sign the Narrative, was of itself a strong accusation of Mr. Hastings, and a decided proof of his own consciousness of guilt. When tired of corporeal infliction, his tyranny was gratified by insulting the understanding. Other tyrants, though born to greatness, such as a Nero or a Caligula, might have been roused, it had been supposed, by reflection, and awakened into contrition; but here was an instance which spurned at theory and baffled supposition: a man born to a state at least of equality; inured to calculation, and brought up in habits of reflection; and yet proving in the end that monster in nature, a deliberate and reasoning tyrant.

The board of directors received those advices which Mr. Hastings thought proper to transmit; but though unfurnished with any other materials to form their judgments, they expressed very strongly their doubts, and as properly ordered an inquiry into the circumstances of the alleged disaffection of the Begums; pronouncing it, at the

same time, a debt which was due to the honor and justice of the British nation. This inquiry, however, on the directions reaching India, Mr. Hastings thought it absolutely necessary to elude. He stated to the council, it being merely stated that "if on inquiry certain facts appeared," no inquiry was thereby directly enjoined! "It would revive (said he) those animosities that subsisted between the Begums and the Vizier, which had then subsided. If the former were inclined to appeal to a foreign jurisdiction, they were the best judges of their own feeling, and should be left to make their own complaint." All this, however, was nothing to the magnificent paragraph which concluded this minute, and to which Mr. Sheridan also requested the attention of the court. "Beside (said Mr. Hastings), I hope it will not be a departure from official language to say, that the majesty of justice ought not to be approached without solicitation; she ought not to descend to inflame or provoke, but to withhold her judgment, until she is called on to determine!" What is still more astonishing is, that Sir John Macpherson (who, though a gentleman of sense and honor, he stated to be rather Oriental in his imagination, and not learned in the sublime and beautiful, formed the immortal leader of this prosecution, and who had before opposed Mr. Hastings) was caught by this bold bombastic quibble, and joined in the same words, "that the majesty of justice ought not to be approached without solicitation."

But justice is not this halt and miserable object! (continued Mr. Sheridan) it is not the ineffective bawble of an Indian pagod!—it is not the portentous phantom of despair; it is not like any fabled monster, formed in the eclipse of reason, and found in some unhallowed grove

of superstitious darkness and political dismay! No, my lords!

In the happy reverse of all these, I turn from this disgusting caricature to the real image! Justice I have now before me, august and pure; the abstract idea of all that would be perfect in the spirits and the aspirings of men! where the mind rises, where the heart expands; where the countenance is ever placid and benign—where her favorite attitude is to stoop to the unfortunate—to hear their cry and to help them—to rescue and relieve, to succor and save: majestic from its mercy: venerable from its utility: uplifted without pride—firm without obduracy: beneficent in each preference: lovely, though in her frown.

On that justice I rely; deliberate and sure, abstracted from all party purpose and political speculations! not in words, but on facts! You, my lords, who hear me, I conjure by those rights it is your best privilege to preserve; by that fame it is your best pleasure to inherit; by all those feelings which refer to the first term in the series of existence, the original compact of our nature—our controlling rank in the creation. This is the call on all to administer to truth and equity, as they would satisfy the laws and satisfy themselves, with the most exalted bliss possible, or conceivable for our nature—the self-approving consciousness of virtue, when the condemnation we look for will be one of the most ample mercies accomplished for mankind since the creation of the world!

My lords, I have done.

DWIGHT

TIMOTHY DWIGHT, a learned and able theologian of the Congregational Church, was born in Northampton, Massachusetts, May 14, 1752. Much of his worth and labors in life were owing to his mother's training—a daughter of the great Jonathan Edwards. At the age of seventeen he graduated with honors from Yale College, acted as a tutor therein for six years, was licensed to preach in 1777, and served the year following as a chaplain in the American army. Pastoral and academic duties, mainly at Greenfield, intervened till his appointment as president of Yale College and professor of theology, in 1795. These duties he discharged with conscientious fidelity till his death, January 11, 1817. To each course of students he preached a series of sermons, forming a systematic survey of theology. These were first published a half century ago, in five volumes, entitled: "Theology Explained and Defended in a Series of Sermons," 173 in all, and deserve a continued popularity. His clearness of thought and soundness of judgment make these profound subjects interesting and instructive to all classes of minds.

SERMON: THE SOVEREIGNTY OF GOD

"O Lord, I know that the way of man is not in himself: it is not in man that walketh to direct his steps."—Jeremiah x. 23.

IN THIS passage of Scripture the prophet, after uttering a variety of sublime declarations concerning the perfections and providence of God and the follies and sins of men, exhibits the progress of life as a Way. In this Way all men are considered as travelling. We commence the journey at our birth; pass on through the several stages of childhood, youth, manhood, and old age, and finish it when we enter eternity. The accommodations and the fare are greatly varied among the various travellers. Some find their entertainment plentiful and agreeable: and some even luxurious and splendid. Others are slenderly provided with food, raiment, and lodging; are almost mere sufferers; and literally have not where to lay their heads.

In the meantime sorrow and disease, dangers and accidents, like a band of marauders, lie in wait for the travellers and harass and destroy a great proportion of their number. Of the vast multitude who continually walk in the path of life almost all disappear long before they reach the goal at which it terminates. A very few arrive at the end. Of these, every one, dragging heavily his weary feet over the last division of the road, teaches us that this part of his progress is only labor and sorrow. . . .

All intend to live and feel secure of many years: but how often does death frustrate this intention and dissolve the charm of this security! How many leave the world at an immature age! How many, in the midst of bold projects, sanguine desires, and strenuous exertions! How many asterisks appear with a melancholy aspect even in the younger classes of the triennial catalogue: marking solemnly to a considerate mind the termination of parental hopes and the vanity of youthful designs! Where now are multitudes of those who a little while since lived and studied and worshipped here with fond views of future eminence and prosperity, and with as fair a promise as can be found of future success, usefulness, and honor?

As we are unable to assure ourselves even of a single day, much more of a long life, it is plain that our eternal state lies beyond our control. As death finds us, so the judgment will certainly find us. He, therefore, who kills as well as makes alive at his pleasure must of course hold in his hands only all our allotments which lie beyond the grave.

I have not called up this doctrine at the present time for the purpose of entering into any of those metaphysical disquisitions which restless curiosity rather than sound wis-

dom has commonly founded on it; but on the one hand to give it its proper place in this system of discourses, and on the other to derive from it several practical observations which, there is reason to hope, may by the blessing of God be useful to those who hear me. . . .

God only directed that you should be born in this land and in the midst of peace, plenty, civilization, freedom, learning, and religion; and that your existence should not commence in a Tartarian forest or an African waste. God, alone, ordered that you should be born of parents who knew and worshipped him, the glorious and eternal Jehovah; and not of parents who bowed before the Lama or the ox, an image of brass or the stock of a tree. In the book of his counsels, your names, so far as we are able to judge, were written in the fair lines of mercy. It is of his overflowing goodness that you are now here; surrounded with privileges and beset with blessings, educated to knowledge, usefulness, and piety, and prepared to begin an endless course of happiness and glory. All these delightful things have been poured into your lap, and have come, unbidden, to solicit your acceptance. If these blessings awaken not gratitude it cannot be awakened by the blessings in the present world. If they are not thankfully felt by you it is because you know not how to be thankful. Think what you are and where you are; and what and where you just as easily might have been. Remember that instead of cherishing tender affections, imbibing refined sentiments, exploring the field of science, and assuming the name and character of the sons of God, you might as easily have been dozing in the smoke of a wigwam, brandishing a tomahawk, or dancing round an embowelled captive; or that you might yourselves have been embowelled by the hand of superstition and burnt on the altars of

Moloch. If you remember these things you cannot but call to mind also who made you to differ from the miserable beings who have thus lived and died. . . .

There are two modes in which men seek happiness in the enjoyments of the present world. "Most persons freely indulge their wishes and intend to find objects sufficient in number and value to satisfy them." A few "aim at satisfaction by proportioning their desires to the number and measure of their probable gratifications." By the doctrine of the text the latter method is stamped with the name of wisdom, and on the former is inscribed the name of folly. Desires indulged grow faster and farther than gratifications extend. Ungratified desire is misery. Expectations eagerly indulged and terminated by disappointment are often exquisite misery. But how frequently are expectations raised only to be disappointed, and desires let loose only to terminate in distress! The child pines for a toy: the moment he possesses it he throws it by and cries for another. When they are piled up in heaps around him he looks at them without pleasure and leaves them without regret. He knew not that all the good which they could yield lay in expectation; nor that his wishes for more would increase faster than toys could be multiplied, and is unhappy at last for the same reason as at first: his wishes are ungratified. Still indulging them, and still believing that the gratification of them will furnish the enjoyment for which he pines, he goes on only to be unhappy.

Men are merely taller children. Honor, wealth, and splendor are the toys for which grown children pine; but which, however accumulated, leave them still disappointed and unhappy. God never designed that intelligent beings should be satisfied with these enjoyments. By his wisdom

and goodness they were formed to derive their happiness from virtue.

Moderated desires constitute a character fitted to acquire all the good which this world can yield. He who is prepared, in whatever situation he is, therewith to be content, has learned effectually the science of being happy and possesses the alchemic stone which will change every metal into gold. Such a man will smile upon a stool, while Alexander at his side sits weeping on the throne of the world.

The doctrine of the text teaches you irresistibly that since you cannot command gratifications you should command your desires; and that as the events of life do not accord with your wishes your wishes should accord with them. Multiplied enjoyments fall to but few men and are no more rationally expected than the highest prize in a lottery. But a well-regulated mind, a dignified independence of the world, and a wise preparation to possess one's soul in patience, whatever circumstances may exist, is in the power of every man and is greater wealth than that of both Indies, and greater honor than Cæsar ever acquired.

As your course and your success through life are not under your control, you are strongly urged to commit yourselves to God, who can control both.

That you cannot direct your course through the world, that your best concerted plans will often fail, that your sanguine expectations will be disappointed, and that your fondest worldly wishes will terminate in mortification, cannot admit of a momentary doubt. That God can direct you, that he actually controls all your concerns, and that, if you commit yourselves to his care, he will direct you kindly and safely, can be doubted only of choice. Why, then, do you hesitate to yield yourselves and your interests to the guid-

ance of your Maker? There are two reasons which appear especially to govern mankind in this important concern: they do not and will not realize the agency of God in their affairs; and they do not choose to have them directed as they imagine he will direct them. The former is the result of stupidity; the latter of impiety. Both are foolish in the extreme and not less sinful than foolish.

The infinitely wise, great, and glorious Benefactor of the universe has offered to take men by the hand, lead them through the journey of life, and conduct them to his own house in the heavens. The proof of his sincerity in making this offer has been already produced. He has given his own Son to live, and die, and rise, and reign, and intercede for our race. "Herein is love," if there ever was love; "not that we have loved him but that he has loved us." That he who has done this should not be sincere is impossible. St. Paul therefore triumphantly asks what none can answer: "He that spared not his own Son, but delivered him up for us all, how shall he not with him also freely give us all things?" Trust, then, his word with undoubting confidence; take his hand with humble gratitude, and with all the heart obey his voice, which you will everywhere hear, saying, "This is the way, walk ye therein."

In sickness and in health, by night and by day, at home and in crowds, he will watch over you with tenderness inexpressible. He will "make you lie down in green pastures, lead you beside the still waters, and guide you in paths of righteousness, for his name's sake. He will prepare a table before you in the presence of your enemies, and cause your cup to run over with blessings. When you pass through the waters of affliction, he will be with you, and through the rivers, they shall not overflow you. When you walk through the fire,

you shall not be burned; neither shall the flame kindle on you." From their native heavens he will commission those charming twin-sisters, goodness and mercy, to descend and "follow you all your days."

But if you wish God to be your guide and your friend you must conform to his pleasure. Certainly you cannot wonder that the infinitely Wise should prefer his own wisdom to yours, and that he should choose for his children their allotments rather than leave them to choose for themselves. That part of his pleasure which you are to obey is all summed up in the single word "duty," and is perfectly disclosed in the Scriptures. The whole scheme is so formed as to be plain, easy, profitable, and delightful; profitable in hand, delightful in the possession. Every part and precept of the whole is calculated for this end and will make you only wise, good, and happy.

Life has been often styled an ocean and our progress through it a voyage. The ocean is tempestuous and billowy, overspread by a cloudy sky, and fraught beneath with shelves and quicksands. The voyage is eventful beyond comprehension, and at the same time full of uncertainty and replete with danger. Every adventurer needs to be well prepared for whatever may befall him, and well secured against the manifold hazards of losing his course, sinking in the abyss, or of being wrecked against the shore.

These evils have existed at all times. The present and that part of the past which is known to you by experience has seen them multiplied beyond example. It has seen the ancient and acknowledged standards of thinking violently thrown down. Religion, morals, government, and the estimate formed by man of crimes and virtues, and of all the means of usefulness and enjoyment, have been questioned,

attacked, and in various places and with respect to millions of the human race finally overthrown. A licentiousness of opinion and conduct, daring, outrageous, and rending asunder every bond formed by God or man, has taken place of former good sense and sound morals and has long threatened the destruction of human good. Industry, cunning, and fraud have toiled with unrivalled exertions to convert man into a savage and the world into a desert.

A wretched and hypocritical philanthropy, also, not less mischievous, has stalked forth as the companion of these ravagers: a philanthropy born in a dream, bred in a novel, and living only in professions.

This guardian genius of human interests, this friend of human rights, this redresser of human wrongs, is yet without a heart to feel and without a hand to bless. But she is well furnished with lungs, with eyes, and a tongue. She can talk, and sigh, and weep at pleasure, but can neither pity nor give. The objects of her attachment are either knaves and villains at home, or unknown sufferers beyond her reach abroad. To the former she ministers the sword and the dagger, that they may fight their way into place, and power, and profit. At the latter she only looks through a telescope of fancy, as an astronomer searches for stars invisible to the eye. To every real object of charity within her reach she complacently says, "Be thou warmed, and be thou filled; depart in peace."

By the daring spirit, the vigorous efforts, and the ingenious cunning so industriously exerted on the one hand, and the smooth and gentle benevolence so softly professed on the other, multitudes have been and you easily may be destroyed. The mischief has indeed been met, resisted, and overcome; but it has the heads and the lives of the hydra,

and its wounds, which at times have seemed deadly, are much more readily healed than any good man could wish, than any sober man could expect. Hope not to escape the assaults of this enemy: To feel that you are in danger will ever be a preparation for your safety. But it will be only such a preparation; your deliverance must ultimately and only flow from your Maker. Resolve, then, to commit yourselves to him with a cordial reliance on his wisdom, power, and protection. Consider how much you have at stake, that you are bound to eternity, that your existence will be immortal, and that you will either rise to endless glory or be lost in absolute perdition.

Heaven is your proper home. The path which I have recommended to you will conduct you safely and certainly to that happy world. Fill up life, therefore, with obedience to God, with faith in the Lord Jesus Christ, and repentance unto life, the obedience to the two great commands of the Gospel, with supreme love to God and universal good-will to men, the obedience to the two great commands of the law. On all your sincere endeavors to honor him and befriend your fellow men, he will smile; every virtuous attempt he will bless: every act of obedience he will reward. Life in this manner will be pleasant amid all its sorrows; and beams of hope will continually shine through the gloom, by which it is so often overcast.

Virtue, the seed that cannot die, planted from heaven and cultivated by the divine hand, will grow up in your hearts with increasing vigor and blossom in your lives with supernal beauty. Your path will be that of the just and will gloriously resemble the dawning light, "which shines brighter and brighter to the perfect day." Peace will take you by the hand and offer herself as the constant and delightful com-

panion of your progress. Hope will walk before you and with an unerring finger point out your course; and Joy at the end of the journey will open her arms to receive you. You will "wait on the Lord, and renew your strength; will mount up with wings, as eagles; will run, and not be weary; will walk, and not faint."

CARNOT

LAZARE NICOLAS MARGUERITE CARNOT was born at Nolay in Burgundy, May 13, 1753. After receiving a good mathematical education in his native province he was admitted as an officer in the Engineer Corps, under the patronage of the Prince of Condé. The Revolution drew him into political life. In 1791 he was returned to the National Assembly for the Pas de Calais, and later became a member of the Committee of Public Safety under Robespierre. He took a leading part in the most revolutionary measures. He voted for the overthrow of the nobility and the execution of the king. One of his chief exploits was the victory of Wattignies. After the fall of Robespierre in 1794, Carnot only escaped arrest through the glory of his military services. In 1795 he became one of the five Directors of the Republic, and projected "A Plan for the Invasion of England," by landing two armies simultaneously on the coasts of Sussex and Yorkshire. Not long afterward he was banished, and took refuge in Germany. On the downfall of the Directory, he returned to France and became Minister of War, but soon resigned this office. On the abolition of the Tribunate in 1806, he retired into private life, became an active member of the Institute and devoted himself to the pursuit of science. After the Russian campaign, he was made the Governor of Antwerp, which he defended till the abdication in 1814. On Napoleon's return from Elba, Carnot was made Minister of War. On the overthrow of the Empire, he retired, first to Warsaw, and then to Magdeburg, where he died in 1823.

AGAINST IMPERIALISM IN FRANCE

DELIVERED AGAINST MAKING NAPOLEON CONSUL FOR LIFE IN 1802

FELLOW-CITIZENS—Among the orators who have preceded me, and who have all touched on the motion of our colleague Curée, several have anticipated the objections that might be made to it, and have responded with as much talent as amenity; they have given an example of a moderation which I shall endeavor to imitate

by proposing a few ideas which have apparently escaped them. And as to those whom I oppose, and thus render myself liable to that suspicion that my motives are merely personal, whoever would attribute such to me are ignorant of the character of a man entirely devoted to his country. In reply, I ask them to examine carefully my political conduct since the commencement of the revolution, and all the record of my private life.

I am far from desiring to diminish the praises accorded the First Consul; if we owed him but the code civil, his name would worthily be immortalized to posterity But whatever the services a citizen has rendered his country, he must expect honors but in the extent of the national recognition of his work. If the citizen has restored public liberty, if he has been a benefactor to his country, would it be a proper recompense to offer him the sacrifice of that liberty? Nay! would it not be an annulment of his own work to convert that country into his private patrimony?

From the very moment it was proposed to the French people to vote to make the consulate an office for life, each easily judged there was a mental reservation, and saw the ulterior purpose and end of the proposal. In effect, there was seen the rapid succession of a series of institutions evidently monarchical; but at each move anxiety was manifested to reassure disturbed and inquiring spirits on the score of liberty, that these new institutions and arrangements were conceived only to procure the highest protection that could be desired for liberty.

To-day is uncovered and developed in the most positive manner the meaning of so many of these preliminary measures. We are asked to declare ourselves upon a formal proposition to reëstablish the monarchical system, and to

confer an imperial and hereditary dignity on the First Consul.

At that time I voted against a life consulate; I shall vote now against any reëstablishment of a monarchy, as I believe it my duty to do. But it was done with no desire to evoke partisanship; without personal feeling; without any sentiment save a passion for the public good, which always impels me to the defence of the popular cause.

I always fully submit to existing laws, even when they are most displeasing. More than once have I been a victim to my devotion to law, and I shall not begin to retrograde to-day. I declare, therefore, that while I combat this proposition, from the moment that a new order of things shall have been established, which shall have received the assent of the mass of our citizens, I shall be first to conform my actions; to give to the supreme authority all the marks of deference commanded by the constitutional oligarchy. Can every member of society record a vow as sincere and disinterested as my own?

I shall not force into the discussion my preference for the general merits of any one system of government over another. On these subjects there are numberless volumes written. I shall charge myself with examining in few words, and in the simplest terms, the particular case in which present circumstances place us. All the arguments thus far made for the reëstablishment of monarchy in France are reduced to the statement that it is the only method of assuring the stability of the government and the public tranquillity, the only escape from internal disorder, the sole bond of union against external enemies; that the republican system has been vainly essayed in all possible manners; and that from all these efforts only

anarchy has resulted. A prolonged and ceaseless revolution has reawakened a perpetual fear of new disorders, and consequently a deep and universal desire to see reëstablished the old hereditary government, changing only the dynasty. To this we must make reply.

I remark here that the government of a single person is no assurance of a stable and tranquil government. The duration of the Roman Empire was no longer than that of the Roman Republic. Their internecine troubles were greater, their crimes more multiplied. The pride of republicanism, the heroism, and the masculine virtues were replaced by the most ridiculous vanity, the vilest adulation, the boldest cupidity, the most absolute indifference to the national prosperity. Where was any remedy in the heredity of the throne? Was it not regarded as the legitimate heritage of the house of Augustus? Was a Domitian not the son of Vespasian, a Caligula the son of Germanicus, a Commodus the son of Marcus Aurelius? In France, it is true, the last dynasty maintained itself for eight hundred years, but were the people any the less tormented? What have been the internal dissensions? What the foreign wars undertaken for pretensions and rights of succession, which gave birth to the alliances of this dynasty with foreign nations? From the moment that a nation espouses the particular interest of one family, she is compelled to intervene in a multitude of matters which but for this would be to her of uttermost indifference. We have hardly succeeded in establishing a republic among us, notwithstanding that we have essayed it under various forms, more or less democratic. . . .

After the peace of Amiens, Napoleon had choice between the republican and monarchical systems; he could

do as he pleased. He would have met but the lightest opposition. The citadel of liberty was confided to him; he swore to defend it; and, holding his promise, he should have fulfilled the desire of the nation which judged him alone capable of solving the grand problem of public liberty in its vast extent. He might have covered himself with an incomparable glory. Instead of that, what is being done
4 to-day? They propose to make for him an absolute and hereditary property of a great power of which he was made the administrator. Is this the real desire and to the real interest of the First Consul himself? I do not believe it.

It is true the State was falling into dissolution, and that absolutism pulled it from the edge of the abyss. But what do we conclude from that? What all the world knows—that political bodies are subject to affections which can be cured but by violent remedies; that sometimes a dictator is necessary for a moment to save liberty. The Romans, who were so jealous of it, nevertheless recognized the necessity of this supreme power at intervals. But because a violent remedy has saved a patient, must there be a daily administration of violent remedies? Fabius, Cincinnatus, Camillus saved Rome by the exercise of absolute power, but they relinquished this power as soon as practicable; they would have killed Rome had they continued to wield it. Cæsar was the first who desired to keep this power: he became its victim; but liberty was lost for futurity. Thus everything that has ever been said up to this day on absolute government proves only the necessity for temporary dictatorships in crises of the State, but not the establishment of a permanent and irresponsible power.

It is not from the character of their government that great republics have lacked stability; it is because, having

been born in the breasts of storms, it is always in a state of exaltation that they are established. One only was the labor of philosophy, organized calmly. That republic, the United States of America, full of wisdom and of strength, exhibits this phenomenon, and each day their prosperity shows an increase which astonishes other nations. Thus it was reserved for the New World to teach the Old that existence is possible and peaceable under the rule of liberty and equality. Yes, I state this proposition, that when a new order of things can be established without fearing partisan influences, as the First Consul has done, principally after the peace of Amiens, and as he can still do, it becomes much easier to form a republic without anarchy than a monarchy without despotism. For how can we conceive a limitation which would not be illusory in a government of which the chief had all the executive power in his hand and all the places to bestow?

They have spoken of institutions to produce all these good effects. But before we propose to establish a monarchy, should we not first assure ourselves and demonstrate to those who are to vote on the question, that these institutions proposed are in the order of possible things, and not metaphysical obstructions, which have been held a reproach to the opposite system? Up to this moment nothing has been successfully invented to curb supreme power but what are called intermediary bodies or privileges. Is it, then, of a new nobility you would speak when you allude to institutions? But such remedies—are they not worse than the disease? For the absolute power of a monarch takes but our liberty, while the institution of privileged classes robs us at the same time of our liberty and our equality. And if even at the commencement dignities and ranks were but

personal, we know they would finish always as the fiefs of other times, in becoming hereditary.

To these general principles I shall add a few special observations. I assume that all the French give assent to these proposed changes; but will it be the real free will and wish of Frenchmen which is produced from a register where each is obliged to individually sign his vote? Who does not know what is the influence in similar cases of the presiding authority? From all parties in France, it would be said, springs a universal desire of the citizens for the re-establishment of the hereditary monarchy; but can we not look suspiciously on an opinion, concentrated thus far almost exclusively among public functionaries, when we consider the inconvenience they would have to manifest any contrary opinion; when we know that the liberty of the press is so enfeebled that it is not possible to insert in any journal the most moderate and respectful protests?

Doubtlessly there will be no making any choice of the hereditary chief, if they declare it necessary to have one.

Is it hoped, in raising this new dynasty, to hasten the period of general peace? Will it not rather be a new obstacle? Are we assured that the other great powers of Europe will assent to this new title? And if they do not, do we take up arms to constrain them? Or after having sunk the title of First Consul in that of Emperor, will he be content to remain First Consul to the rest of Europe while he is Emperor only to Frenchmen, or shall we compromise by a vain title the security and the prosperity of the entire nation?

It appears, therefore, infinitely doubtful if the new order of things can give us the stability of the present state. There is for the government one method of consolidation and strength. It is to be just; that no favoritism or bias

be of avail to influence its services; that there be a guarantee against robbery and fraud. It is far from me to desire to make any particular application of my language or to criticise the conduct of the government. It is against arbitrary power itself I appeal, and not against those in whose hands this power may reside. Has liberty then been shown to man that he shall never enjoy it? Shall it always be held to his gaze as a fruit that when he extends the hand to grasp he must be stricken with death? And nature, which has made liberty such a pressing need to us, does she really desire to betray our confidence? No! I shall never believe this good, so universally preferred to all others—without which all others are nothing—is a simple illusion. My heart tells me that liberty is possible, that its régime is easier and more stable than any arbitrary government, than any oligarchy.

But, nevertheless (I repeat it), I shall be always ready to sacrifice my dearest affections to the interest of our common country; I shall be satisfied to have once more caused to be heard the accents of an independent mind; and my respect for the law will be so much the more sure, as it is the fruit of long misfortunes, and of this reason, which commands us imperiously at this day to reunite as one body against the implacable enemy of one party as well as the other — of this enemy, which is always ready to foment discord, and to whom all means are lawful provided he can attain his end, namely — universal oppression and tyranny over the whole extent of the ocean.

I vote against the proposition.

VERGNIAUD

PIERRE VICTURNIEN VERGNIAUD was born in 1753 at Limoges, and was educated at the College of the Jesuits at that place. Later he was admitted to the College of Plessis. Vergniaud was called to the bar in 1782. In 1789 he was elected a member of the General Council of the Department of the Gironde. Vergniaud was chosen representative of the Gironde in the Assembly, August, 1791. His powerful oratory in that body contributed largely to the overthrow of the nobility and the king. He was one of those who voted for the king's execution. When the institution of the Revolutionary Tribunal was proposed by the Robespierrists, Vergniaud vehemently opposed the project. On the 2d of June, 1795, the Girondists, of whom Vergniaud was one of the leaders, were banished. Vergniaud was allowed to remain in Paris under surveillance, but a month later was arrested and imprisoned in La Force. Early in October, the Convention brought forward its indictment of the Girondists. A verdict of guilty was found, followed by a sentence of death. Vergniaud died by the guillotine on the 31st of October, 1793.

"TO THE CAMP!"

DELIVERED BEFORE THE COMMITTEE OF PUBLIC SAFETY, SEPTEMBER 8, 1792

THE details given to you by M. Constant are no doubt quite reassuring; it is impossible, however, to help some uneasiness, after coming from the camp below Paris. The works advance very slowly. There are many workmen, but few of them work: a great number are resting themselves. What is especially painful is to see that the shovels are only handled by salaried hands, and not by hands which the public interest directs. Whence comes the sort of torpor in which the citizens who have remained in Paris appear to be buried? Let us no longer conceal it: the time to tell the truth has come at last! The proscrip-

tions of the past, the rumor of future proscriptions, and our internal discords have spread consternation and dismay. Upright men hide themselves when the conditions have been reached under which crime may be committed with impunity. There are men, on the contrary, who only show themselves during public calamities, like some noxious insects which the earth produces only during storms. These men constantly spread suspicions, distrust, jealousies, hates, revenges. They thirst for blood. In their seditious insinuations they accuse of "aristocracy" virtue itself, in order to acquire the right to trample it underfoot. They make crime a part of their democracy that they may democratize crime, gorge themselves with its fruits without having to fear the sword of justice. Their whole effort now is to so dishonor the most sacred cause, that they may rouse to action against it the friends of the nation and of all humanity.

Oh! citizens of Paris I ask it of you with the most profound emotion, will you never unmask these perverse men, who to obtain your confidence have nothing to offer but the baseness of their means and the audacity of their pretensions ? Citizens, when the enemy is advancing, and when a man, instead of asking you to take up the sword to repulse him, wishes you to murder in cold blood women or unarmed citizens, that man is an enemy of your glory and of your welfare! He deceives you that he may ruin you. When on the contrary a man speaks to you of the Prussians only to indicate you must strike a mortal blow; when he proposes victory to you only by means worthy of your courage, he then is the friend of your glory, the friend of your happiness. He would save you! Citizens, forswear, therefore, your intestine dissension; let your profound indignation against crime encourage upright men to come to the front.

Have the proscriptions stopped, and you shall see at once a mass of defenders of liberty rally themselves about you. Go, all of you together to the camp! It is there that you will find your salvation!

I hear it said every day: "We may suffer a defeat. What then will the Prussians do? Will they come to Paris?" No, not if Paris is in a state of respectable defence; if you prepare outposts from whence you could oppose a strong resistance; for then the enemy would fear to be pursued and surrounded by the remnants of the armies that he may have overcome, and be crushed by them as Samson was under the ruins of the temple he tore down. But, if panic or false security benumb our courage and our strong arms, if we surrender without defending them the outposts from which the city may be bombarded, it were senseless not to advance toward a city which by inaction had appeared herself to invite their coming—which did not know how to take possession of positions from which he could have been beaten. To the camp, therefore, citizens, to the camp! What? while your brothers, your fellow-citizens, by a heroic devotion, abandon what nature must make them cherish the most, their wives, their children—will you remain plunged in lukewarm idleness? Have you no other way of proving your zeal than by asking incessantly, as did the Athenians: "What is there new to-day?" Ah! let us detest this degrading nobility! To the camp, citizens, to the camp! While our brothers, for our defence, may be shedding their blood on the plains of Champagne, let us not be afraid to let our sweat-drops fall upon the plains of Saint Denis, for the protection of their retreat. To the camp, citizens, to the camp! Let us forget everything but our country! To the camp, to the camp!

REPLY TO ROBESPIERRE

PERORATION OF THE SPEECH DELIVERED IN THE CONVENTION, APRIL 10, 1793

ROBESPIERRE accuses us of having suddenly become "Moderates"—monks of the order of Saint Bernard. (*Feuillants.*) Moderates—we? I was not such, on the 10th of August, Robespierre, when thou didst hide in thy cellar. Moderates! No, I am not such a Moderate that I would extinguish the national energy. I know that liberty is ever as active as a blazing flame—that it is irreconcilable with the inertia that is fit only for slaves! Had we tried but to feed that sacred fire which burns in my heart as ardently as in that of the men who talk incessantly about "the impetuosity" of their character, such great dissensions would never have arisen in this Assembly. I know that in revolutionary times it was as great a folly to pretend the ability to calm on the spur of the moment the effervescence of the people as it would be to command the waves of the ocean when they are beaten by the wind. Thus it behooves the lawmaker to prevent as much as he can the storm's disaster by wise counsel. But if under the pretext of revolution it become necessary, in order to be a patriot, to become the declared protector of murder and of robbery—then I am a "Moderate!"

Since the abolition of the monarchy, I have heard much talk of revolution. I said to myself: There are but two more revolutions possible: that of property or the Agrarian Law, and that which would carry us back to despotism. I have made a firm resolution to resist both the one and the

other and all the indirect means that might lead us to them. If that can be construed as being a "Moderate," then we are all such; for we all have voted for the death penalty against any citizen who would propose either one of them.

I have also heard much said about insurrection—of attempts to cause risings of the people—and I admit I have groaned under it. Either the insurrection has a determined object, or it has not; in the latter case, it is a convulsion for the body politic which, since it cannot do it good, must necessarily do it a great deal of harm. The wish to force insurrection can find lodgment nowhere but in the heart of a bad citizen. If the insurrection has a determined object, what can it be? To transfer the exercise of sovereignty to the republic. The exercise of sovereignty is confided to the national representatives. Therefore, those who talk of insurrection are trying to destroy national representation; therefore they are trying to deliver the exercise of sovereignty to a small number of men, or to transfer it upon the head of a single citizen; therefore they are endeavoring to found an aristocratic government, or to reestablish royalty. In either case, they are conspiring against the Republic and liberty, and if it become necessary either to approve them in order to be a patriot, or be a "Moderate" in battling against them, then I am a Moderate!

When the statue of liberty is on the throne, insurrection can be called into being only by the friends of royalty. By continually shouting to the people that they must rise; by continuing to speak to them, not the language of the laws, but that of the passions, arms have been furnished to the aristocracy. Taking the living and the language of sansculottism, it has cried out to the Finis-

tère department: "You are unhappy; the assignats are at a discount; you ought to rise *en masse*." In this way the exaggerations have injured the republic. We are "Moderates!" But for whose profit have we shown this great moderation? For the profit of the *emigrés*? We have adopted against them all the measures of rigor that were imposed by justice and national interest. For the profit of inside conspirators? We have never ceased to call upon their heads the sword of the law. But I have demurred against the law that threatened to proscribe the innocent as well as the guilty. There was endless talk of terrible measures, of revolutionary measures. I also was in favor of them—these terrible measures—but only against the enemies of the country. I did not want them to compromise the safety of good citizens, for the reason that some unprincipled wretches were interested in their undoing. I wanted punishments but not proscriptions. Some men have appeared as if their patriotism consisted in tormenting others —in causing tears to flow! I would have wished that there should be none but happy people! The Convention is the centre around which all citizens should rally! It may be that their gaze fixed upon it is not always free from fear and anxiety. I would have wished that it should be the centre of all their affections and of all their hopes. Efforts were made to accomplish the Revolution by terror. I should have preferred to bring it about by love. In short, I have not thought that, like the priests and the fierce ministers of the Inquisition—who spoke of their God of Mercy only when they were surrounded by autos-da-fe and stakes —we should speak of liberty surrounded by daggers and executioners!

You say we are "Moderates!" Ah! let thanks be of-

fered us for this moderation of which we are accused as if it were a crime! If, when in this tribune they came to wave the brands of discord and to outrage with the most insolent audacity the majority of the representatives of the people; if, when they shouted with as much fury as folly: "No more truce! No more peace between us!" we had given way to the promptings of a just indignation; if we had accepted the counter-revolutionary challenge which was tendered to us—I declare to my accusers (and no matter what suspicions they create against us; no matter what the calumnies with which they try to tarnish us, our names still remain more esteemed than theirs), that we would have seen coming in haste from all the provinces to combat the men of the second of September, men equally formidable to anarchy and to tyrants! And our accusers and we ourselves would be already consumed by the fire of civil war. Our moderation has saved the country from this terrible scourge, and by our silence we have deserved well of the Republic!

I have not passed by, without reply, any of Robespierre's calumnies, or of his ramblings. I come now to the petition denounced by Pétion; but, as this petition is connected with a general scheme of mischief, allow me to treat of the facts from a higher point of view.

On the tenth of March, a conspiracy broke out against the National Convention. I denounced it to you then. I named some of the leaders. I read to you the decrees taken in the name of the two sections, by some intriguers who had slipped into their midst. A pretence was made of throwing doubts on the facts; the existence of the decrees was considered as uncertain. Nevertheless the facts were attested even by the municipality of Paris. The existence of the

decrees was confirmed by the sections who came to disavow them and to inform against the authors.

You ordered, by a decree, that the guilty parties should be prosecuted before the Revolutionary Tribunal. The crime is acknowledged. What heads have fallen? None. What accomplice has even been arrested? None. You yourselves have contributed to render your decree illusory. You have ordered Fournier to appear at the bar of your court. Fournier admitted that he was present at the first gathering that took place at the Jacobins; that from there he had gone to the Cordeliers, the place of the general meeting; that, at that meeting, there was a question of proceeding to ring the alarm bell, to close the barriers, and to slaughter a number of the members of the Convention. But because he stated that, in the scenes in which he had participated, he had not been animated by evil intentions; and—as if to butcher a part of the Convention had not been reputed as an evil—you set him at liberty by ordering that he should be heard later on as a witness, if it was thought best, before the Revolutionary Tribunal. It is as if in Rome the Senate had decreed that Lentulus might become a witness in the conspiracy of Catiline!

This inconceivable weakness rendered powerless the sword of the law and taught your enemies that you were not to be dreaded by them. At once a new plot was formed which manifested itself by the constitution of this central committee which was to correspond with all the provinces. This plot was counteracted by the patriotism of the section du Mail, who denounced it to you; you ordered before your bar the members of this central committee; did they obey your decree? No. Who, then, are you? Have you ceased to be the representatives of the

people? Where are the new men whom they have endowed with their almighty power? So they insult your decree; so you are shamefully bandied about from one plot to another. Pétion has let you into the secret of still another one. In the petition of the Halle-au-Ble, the dissolution of the National Convention is being arranged for, by accusing the majority of corruption; opprobrium is being poured upon them from full cups; the formal design is announced of changing the form of the government, inasmuch as they have made manifest that of concentrating the exercise of sovereign authority in the small number of men therein represented as the only ones worthy of public confidence.

It is not a petition that is being submitted to your wisdom. These are supreme orders that they dare dictate to you. You are notified that it is for the last time that the truth is being told you; you are notified that you have but to choose between your expulsion, or bow to the law that is imposed on you. And on these insolent threats, on these burning insults, the order of the day or a simple disapproval is quietly proposed to you! And now, then! how do you expect good citizens to stand by you, if you do not know how to sustain yourselves? Citizens! were you but simple individuals, I could say to you: "Are you cowards? Well, then; abandon yourselves to the chances of events; wait in your stupidity until your throats are cut or you are driven out." But there is here no question of your personal safety; you are the representatives of the people; the safety of the Republic is at stake; you are the depositaries of her liberty and of her glory. If you are dissolved, anarchy succeeds you, and despotism succeeds to anarchy. Any man conspiring against you is an ally of Austria. You are con-

vinced of it, as you have decreed that he shall be punished by death. Do you wish to be consistent? Cause your decrees to be carried out, or revoke them, or order the barriers of France to be opened to the Austrians and decree that you will be the slaves of the first robber who may wish to put his chains upon you.

ON THE SITUATION OF FRANCE

WHAT is the strange position in which the National Assembly finds itself? What fatality pursues us and signalizes each day by great events, bringing disorder to our works and giving us over to the stormy agitation of uneasiness, expectations, and passions? What destiny is being prepared for France by this terrible effervescence, in the midst of which, if the people's imperishable love for liberty was not so well known, one would be tempted to doubt whether the Revolution were retrograding or reaching its goal?

At the moment when your armies of the north seemed to be making progress in Brabant and were flattering our courage with signs of victories, suddenly they were driven back before the enemy; they are abandoning advantageous positions which they had conquered; they are brought back to our own territory; the scene of the war is fixed there, and nothing will remain from our campaign with the miserable Belgians but the memory of the fires which will have lighted our retreat. On another side and on the banks of the Rhine our frontiers are threatened by the Prussian troops, whose march the ministerial reports have made us hope would not be so prompt. Such is our political and military situation, that never were the wise combination of plans, the prompt

execution of means, union, the accord from all parties of the power to which the constitution delegates the use of armed force, never were so necessary; never could the least misinformation, the slightest suspension, the most trifling digressions, become so disastrous.

How does it happen that at the very last period of the most violent crisis, on the edge of the abyss which is ready to swallow up the nation, the movement of our armies is suspended; that by a sudden disorganization of the ministry the chain of works has been broken, the bonds of confidence severed, the safety of the empire given up to the inexperience of hands chosen haphazard, the difficulties of execution multiplied, and its success endangered by mistakes which happen, even with the most enlightened patriotism, in the apprenticeship of a great administration? If plans are conceived for facilitating the completion of our armies, for increasing our means of conquest or of making our defeats less disastrous, why are they preceded near the throne by calumny and stifled there by the most perfidious malevolence? Would it be true that our triumphs are feared? Are they eager for the blood of the army of Coblentz or for our own?

If fanaticism excites disorders, if it threatens to deliver the nation up to the simultaneous rending of foreign war, what is the intention of those who with an invincible obstinacy cause all the laws of repression presented by the National Assembly to be rejected? Do they wish to reign over abandoned cities and devastated fields? What is the exact quantity of tears, of misery, of blood, of death, which would satisfy their vengeance? Where are we, any way? Into what abyss do they desire to drag us?

And you, gentlemen, what great thing are you going to undertake for the commonwealth? You whose courage the

enemies of the constitution insolently flatter themselves that they have shaken; you whose consciences they try each day to alarm by qualifying love of liberty as party spirit; as if you could have forgotten that a despotic court gave also the name of factions to the representatives of the people who went to take the oath of the tennis-court; that the cowardly heroes of the aristocracy have constantly lavished it upon the conquerors of the Bastile, upon all those who made and maintained the Revolution, and which the Constituent Assembly believed to have honored by proclaiming in one of its addresses that the nation was composed of twenty-four millions of factious persons; you who have been so calumniated because you are almost all strangers to the caste which the Revolution overthrew in the dust, and in whom the intriguers who desired to re-establish it, and the degraded men who regret the infamous pleasure of crouching before it, have not hoped to find accomplices; you, against whom they inveighed with so much fury only because you form a truly popular assembly, and in you they wished to disgrace the people; you who have been so cowardly accused of blighting the glory of the constitutional throne, because several times your avenging hand struck those who wished to make it the throne of a despot; you who have been infamously and absurdly suspected of intentions contrary to your oaths, as if your happiness was not attached to the constitution; as if, invested with another power than that of the law, you had a civil list to keep the contra-revolutionary satellites in pay; you whom, by the perfidious use of calumny and the language of a hypocritical moderation, they tried to chill in the interests of the people, because they knew that you hold your mission from the people, that the people is your support, and that if by a guilty desertion of their cause you deserved to be aban-

doned in turn it would be easy to dissolve you; you whom they have wanted and, it must be said with pain, have succeeded in weakening by disastrous divisions, but who doubtless in the present crisis, when the nation is fixing her restless eyes on you, will feel the need of gathering together all your forces; who will postpone our noisy quarrels, our miserable dissensions until after the war; who will lay down our pride, our jealousies, our passions at the foot of the altar of liberty; who will not find it so sweet to hate you for preferring this infernal to the welfare of the country; you whom they wanted to terrify with armed petitions as if you did not know that in the beginning of the Revolution the sanctuary of liberty was surrounded by the satellites of despotism, Paris besieged by an army, and that these days of danger were days of the veritable glory of the Constituent Assembly; you, to whom I have believed I ought to present these swift reflections because at the moment when it is important to create a commotion in public opinion it seemed to me indispensable to do away with all illusions, all errors, which might attenuate the effect of your measures; you, finally, to whom each day discloses a vast horizon of conspiracies, treacheries, dangers; who are placed at the mouth of Ætna to avert the thunderbolt,—what are your resources? What does necessity command you? What does the constitution allow you?

I am going to venture to present a few ideas to you; perhaps I might have suppressed a part of them after the new propositions made to you by the king; but the most recent events forbid a suppression which otherwise would have seemed to me base, since attempts have been made to influence our opinions. A representative of the people should be as impassable before bayonets as before calumny.

First, I shall call your attention to interior disturbances.

They have two causes: manœuvres of the nobility, manœuvres of the priesthood. Both tend to the same end, counter-revolution. You will prevent the action of the first by a wise and vigorous police. We must hasten to discuss the bases; but when you have done everything that in you lies to save the people from the terrible influence of the second, the constitution leaves at your disposal only a last resort: it is simple; nevertheless, I believe that it is just and efficacious,—this is it:

The king has refused his sanction to your decree upon the religious troubles. I do not know whether the gloomy spirit of Médicis and the Cardinal de Lorraine is still wandering beneath the arches of the palace of the Tuileries; if the sanguinary hypocrisy of the Jesuits, La Chaise and Le Tellier, live again in the soul of some scoundrel burning to see a repetition of Saint Bartholomew and the Dragonades, I do not know whether the king's heart is disturbed by the fantastic ideas suggested to him and his conscience deranged by the religious terrors which surround him.

But it cannot be believed, without doing him harm and accusing him of being the most dangerous enemy of the Revolution, that he wishes to encourage, by impunity, the criminal attempts of pontifical ambition, and to give to the proud agents of the tiara the disastrous power with which they have equally oppressed peoples and kings. It cannot be believed, without doing him harm and accusing him of being the enemy of the people, that he approves or even looks with indifference on the underhanded tricks used to divide the citizens, to stir up the leaven of hatred in the bosom of sensible souls, and in the name of the Divinity to stifle the sweetest sentiments of which man's felicity is composed. It cannot be believed, without doing him harm and

accusing him of being the enemy of the law, that he refuses the adoption of repressive measures against fanaticism, in order to drive citizens to excesses which despair inspires and the laws condemn; that he prefers to expose unsworn priests, even when they do not trouble the order, to arbitrary vengeance, than to submit them to a law which, applying only to the perturbators, would cover the innocent with an inviolable shield. Finally, it cannot be believed, without doing him harm and accusing him of being the enemy of the empire, that he wishes to perpetuate the seditions and immortalize the disorders and all the revolutionary movements which impel the empire to civil war and would precipitate, through the civil war, its dissolution.

Whence I conclude that if he has resisted your vote he regards himself as powerful enough, through the laws already existing, through the redoubtable force with which they have armed him, to make peace succeed trouble and happiness succeed tears.

If, then, it happens that the nation's hopes and our own are deceived, if the spirit of division continues to agitate us, if the torch of fanaticism still threatens to consume us, if religious violences go on desolating the departments, it is evident that the fault of it ought to be imputed to negligence alone or to the incivism of agents employed by the king. It is evident that the declarations of the lifelessness of their efforts, of the insufficiency of their precautions, of the multiplicity of their watches, will be scornful lies, and it will be just to bring down the sword of justice upon them as being the sole cause of all our ills.

Well! consecrate this truth to-day by a solemn declaration. The veto placed on your decree has spread not that gloomy stupidity under which the dejected slave devours his tears

in silence, but that sentiment of generous pain which, among a free people, awakens the passions and increases their energy. Hasten to prevent a fermentation the effects of which are beyond human foresight; inform France that henceforth the ministers will answer with their heads all disorders of which religion is the pretext; show her in this responsibility a limit to her disturbances, the hope of seeing the seditious punished, hypocrites exposed, and peace born anew.

Your solicitude for the exterior safety of the empire and the success of the war made you adopt the idea of a camp or of an army placed between Paris and the frontiers. You associated this idea with that of a civic festival which would have been celebrated in Paris the fourteenth of July. You knew what deep impressions the memory of this immortal day would awaken in hearts; you knew with what transports the citizens would have hastened from all the departments to take the conquerors of the Bastile in their arms; with what bursts of joy they would have come among the inhabitants of the city who prided themselves on having given the first impulse towards liberty, to repeat the oath to live free or die. So the most generous enthusiasm, the intoxication of a fraternal feeling would have contributed, with the certainty of danger threatening the fatherland, to accelerate the organization of the new army; and in a certain way you would have tempered the calamities of war by intermingling the ineffable pleasures of a universal brotherhood. The poisoned whisper of calumny blighted this patriotic project. The embraces and festivities were repulsed with a barbarous harshness. The plans of federation and gladness were changed to measures of discord and disastrous events. The king refused his sanction to your decree.

I have too much respect for a constitutional right to propose your making the minister responsible for disorderly movements which might have been the consequence of this refusal; but he ought to be so, at least, if a single one of the precautions which the surety of your territory demanded has been omitted; if it happens before the gathering of the battalions of national guards, the formation of which was proposed to you by the king, that the ground of liberty is profaned by tyrants. The king does not wish to deliver France to foreign armies; he would have been eager to adopt your views if he had been persuaded either that there was no attack to fear from the direction of the Rhine and from the part of the Prussians, or else that we were strong enough to repulse it. Whatever the mistake he has been induced to make, as it will be pleasant to us to praise the ministers if they have placed the empire in a state of honorable defence, it will be also just to charge them with blame if that state of defence is weak enough to compromise us: and in this respect you owe a declaration to enlighten the people about the care to be taken for their glory and tranquillity, and to leave no uncertainty about the punishment of traitors.

Will it be said that the king's sanction depends on his will alone; that the ministers take no part whatever in this eminent act of power which the constitution delegates to him; that therefore there can be no pretext for responsibility in regard to them? I will reply that I do not mean to make the ministers responsible for the refusal of his sanction; but only for the insufficiency or the non-performance or too tardy execution of the means of surety which the circumstances demand. The king is inviolable, but he alone enjoys his inviolability which is incommunicable. He does not answer for his faults nor for his mistakes: his agents answer for them.

These are the two indivisible bases of the organization of executive power. It is only through them that under a careless prince or a conspirator, and in great danger, the State could be saved. It is only through them that, under a tyrannical prince, the law could be spared the egregious affront of seeing impunity assured to the greatest crimes, and the State preserved from misfortunes the source of which could be such a scandalous privilege. If there are circumstances which the legislative body alone has the force to modify, the pride we have had in believing ourselves free is a delirium and the constitution is only the seal of a shameful slavery.

Will it be said that the ministerial responsibility acquires a character of injustice through the great extension that I seem to give it? I reply that the man who submits himself to it voluntarily, through the spontaneous acceptation of the ministry, renounces the faculty of accusing the law of too much rigor.

But it is not enough to have proved that the ministers themselves must be cast into the abyss which their negligence or their malevolence have hollowed out before liberty. Ah! What will a tardy vengeance signify to the oppressed country? Will the blood of a few guilty ministers expiate the death of the generous citizens fallen, in her defence, under the blows of her enemies? Could scaffolds and punishments console her for the loss of her dearest children?

There are simple truths so great and of such high importance that the enunciation of them alone can, I believe, produce greater effects and more salutary than the responsibility of ministers and spare us the misfortunes which the latter would not be able to repair. I shall speak without any passion but the love of my country and a deep feeling for the evils which desolate it. I beg you to listen to me calmly, not

to be hasty in conjecturing in order to approve or condemn in advance what I have no intention of saying. Faithful to my oath to maintain the constitution, to respect the constituted powers, it is the constitution alone I am going to invoke. Moreover, I shall have spoken in the established interests of the king if with the aid of a few reflections of a striking evidence I tear the bandage which intrigue and adulation have placed over his eyes, and if I show him the goal to which his faithless friends are trying to lead him.

It is in the name of the king that the French princes have tried to arouse all the courts of Europe against the nation; it is to avenge the dignity of the king that the treaty of Pilnitz was concluded and the monstrous alliance between the courts of Vienna and Berlin formed; it is to defend the king that the former companies of body-guards under the flags of rebellion have been seen hastening to Germany; it is to come to the king's aid that the emigrants are soliciting and obtaining employment in the Austrian armies and are prepared to tear the bosom of their country; it is to join those valiant knights of the royal prerogative that other warriors full of honor and delicacy abandon their post in presence of the enemy, betray their oaths, steal the chests, strive to corrupt their soldiers and thus place their glory in dastardliness, perjury, subordination, theft, and assassination; it is against the nation or the National Assembly alone, and to maintain the splendor of the throne, that the King of Bohemia and Hungary makes war upon us, and the King of Prussia is marching towards our frontiers; it is in the name of the king that liberty is attacked, and that if they succeeded in its overthrow they would soon dismember the empire in order to indemnify the Allied Powers for their

expenses; because we know the generosity of kings, we know with what disinterestedness they send their armies to desolate a foreign land, and how far we think they should exhaust their treasuries to maintain a war which will not be profitable to them. Finally, the name alone of the king is the pretext or the cause of all the evils which they are trying to accumulate above our heads, all that we have to fear.

Now, I read in the constitution, chapter II, section 1, article VI:

"If the king places himself at the head of an army and directs the forces of it against the nation, or if he does not oppose by a formal act such an enterprise which is carried on in his name, he shall be deemed to have abdicated royalty."

I ask you what must be understood by a formal act of opposition; reason tells me that it is the act of a resistance proportioned as much as possible to the danger and made at a time useful to avoid it.

For example, if in the present war a hundred thousand Austrians should direct their march towards Flanders, or a hundred thousand Prussians towards Alsace, and the king, who is the supreme chief of the public forces, should oppose to each of these two redoubtable armies only a detachment of ten or twenty thousand men, could you say that he employed suitable means of resistance, that he fulfilled the vow of the constitution, and made the formal act which it demands of him?

If the king, charged with watching over the exterior safety of the State, with notifying the legislative body of imminent hostilities, informed of the movements of the Prussian army, and not making it known to the National Assembly, informed, or at least able to presume, that this army will attack us in a month, is slow in arranging preparations for

repulsion; if there was a just anxiety about the progress the enemy might make into the interior of France, and if a reserve camp would evidently be necessary to anticipate or stop their progress; if there was a decree making the formation of this camp infallible and immediate; if the king rejected this decree and substituted for it a plan the success of which was uncertain and demanded so much time for its execution that the enemy could make it impossible; if the legislative body should make decrees of general safety, that the urgency of the danger should allow no delay, that nevertheless sanction was refused or deferred for two months; if the king should leave the command of an army to an intriguing general, suspected by the nation through the most serious faults, the most characterized outrages to the constitution; if another general, bred far from the corruption of courts, and familiar with victory, should ask, for the glory of our arms, a reinforcement which it would be easy to grant him; if, by refusing, the king should clearly say to him: "I forbid you to conquer;" if, profiting by this disastrous temporization, so much incoherence in our political course, or rather such constant perseverance in perfidy, the league of tyrants should strike fatal blows at liberty, could it be said that the king made the constitutional resistance, that he fulfilled the vow of the constitution for the defence of the State, that he did the formal act which it prescribes?

Allow me to reason further in regard to this painful supposition. I have exaggerated several facts—I shall make a statement of them by and by—which I hope will never exist, in order to remove all pretext to applications which are purely hypothetical; but I need a complete development in order to show the truth without blemish.

If such was the result of the conduct of which I have just

drawn a picture, that France would swim in blood, that the foreigner would rule there, the constitution would be shaken, that there would be a counter-revolution, and the king would say to you in justification of himself:

"It is true that the enemies who are rending France in pieces pretend that they are acting only to rebuild my power which they think destroyed; to avenge my dignity which they supposed dishonored; to give me back my royal rights which they supposed compromised or lost; but I have proved that I was not their accomplice. I have obeyed the constitution, which orders me to oppose their enterprises by a formal act, since I have placed armies in the field. It it true that these armies were too weak, but the constitution does not designate the time when I ought to collect them; it is true that reserve camps could have sustained them, but the constitution does not oblige me to form reserve camps.

"It is true that when the conquering generals were advancing upon hostile territory I ordered them to stop, but the constitution does not prescribe that I shall win victories; it even prohibits me from making conquests. It is true that attempts have been made to disorganize the armies by the combined resignation of officers, and that I have made no effort to stop the course of these resignations; but the constitution did not foresee what I should have to do in case of such an offence. It is true my ministers have continually deceived the National Assembly about the number, the disposal of troops and providing for them; that I have kept as long as possible those who fettered the progress of the constitutional government, as short a time as possible those who tried to give it energy; but the constitution makes their nomination depend only on my free will, and nowhere does it order me to put my trust in patriots and to drive out counter-

revolutionists; it is true that the National Assembly has passed useful or even necessary decrees and that I have refused to sanction them; but I had the right to do so; it is sacred; because I take it from the constitution. It is true, finally, that the counter-revolution has taken place, that despotism is going to place its iron sceptre in my hands, that I shall punish you for having the insolence to wish to be free; but I have done everything that the constitution prescribes for me; no act which the constitution condemns has come from me; so it is not possible to doubt my fidelity to it, my zeal in its defence."

Yes, I say it was possible, in the calamities of a disastrous war, in a counter-revolutionary overthrow, that the King of the French should use this derisive language; if it was possible for him ever to speak to them of his love for the constitution with such insulting irony, would they not be right in replying to him:

"Oh, king! who without doubt believed with the tyrant Lysander that truth is not worth more than lying, and that men must be amused with oaths as children are with knuckle-bones, who pretended to love the laws only to acquire the power which would serve you in defying them; to love the constitution only that it might not hurl you from the throne, where you needed to remain in order to destroy it; to love the nation only to assure the success of your perfidies by inspiring it with confidence; do you think of abusing us to-day with hypocritical protestations of throwing us off the scent as to the cause of our misfortunes by the artifice of your excuse and the audacity of your sophisms?

"Was it defending us to oppose foreign soldiers with forces whose inferiority left not even a doubt about their defeat? Was it defending us to defeat the plans for fortifying the

interior of the kingdom or to make preparations of resistance for the time when we should already have become the prey of tyrants? Was it defending us to choose generals who themselves attacked the constitution, or to fetter the courage of those who were serving it? Was it defending us incessantly to paralyze the government by the continual disorganization of the ministry? Did the constitution leave you the choice of ministers for our happiness or our ruin? Did it make you chief of the army for our glory or our shame? Finally did it give you the right of sanction, a civil list and so many important prerogatives to destroy constitutionally the constitution and the empire? No, no! man whom the generosity of the French could not move, man whom love of despotism alone could make sensible, you have not fulfilled the vow of the constitution: it is perhaps overthrown; but you will not gather the fruit of your perjury: you have not opposed by a formal act the victories which have been won in your name over liberty; but you will not gather the fruit of these unworthy triumphs; you are nothing any longer to that constitution which you have so shamefully violated, to that people whom you have betrayed in so cowardly a manner."

Coming to present circumstances, I do not think that if our armies are not yet wholly brought to completion it is through the malevolence of the king. I hope that he will soon increase our means of resistance by a useful employment of battalions so uselessly scattered in the interior of the kingdom; I hope also finally that the march of the Prussians through our national guards will not be as triumphal as they have the proud madness to imagine. I am not tormented by the fear of seeing realized the horrible suppositions that I have made; however, as the dangers with which we are

invested impose upon us the obligation to foresee everything; as the facts that I have supposed are not without striking resemblance to several of the king's discourses; as it is certain that the false friends surrounding him are sold to the conspirators of Coblentz; and as they are burning to ruin him in order to gather the fruit of the conspiracy for some one of their chiefs; as it is important to his personal safety, as well as to the tranquillity of the kingdom, that his conduct be no longer environed with suspicions; as only great frankness in his proceedings and in his explanations can prevent extreme measures and the bloody quarrels which they would give rise to, I should propose a message in which, after the interpellation which circumstances would determine to address to him, would be presented the truths that I have developed; it would be shown that the system of neutrality which they seem to be anxious to have him adopt against Coblentz and France would be arrant treason in the King of the French; that it would bring him no other glory than profound horror from the nation and signal scorn from the conspirators; that, having already chosen for France, he should loudly proclaim the fixed resolution to triumph or perish with her and the constitution.

But at the same time, convinced that harmony between the two powers would be sufficient to extinguish hatred, to bring together the divided citizens, to banish discord from the empire, double our forces against exterior enemies, secure liberty, and arrest the monarchy tottering on the declivity of the abyss, I should like the object of the message to be to maintain it or produce it and not to make it impossible; I should like to have displayed in it all the firmness, all the grandeur which belong to the National Assembly and to the majesty of the two powers; I should like it to show imposing dignity, not

irritating pride; the energy which moves, and not the bitterness which offends; in a word, I should like this message, to which I attach the highest importance, to be a signal for reunion, not a manifesto of war. After having shown that calmness which in danger is the characteristic of courage, if we are threatened by some catastrophe its instigators will be highly indicated by their conduct, and the opinion of the eighty-three departments will sanction in advance the precautions of the legislative body in order to assure the impotency of their efforts.

I pass to another provisory measure which I believe urgent to take; that is, a declaration that the country is in danger. You will see all the citizens rally at this cry of alarm, recruiting take on activity, the battalions of national guards completed, public spirit rekindled, the departments multiply their military exercises, the land covered with soldiers, and you will see repeated the wonders which covered several peoples of antiquity with immortal glory. What! why should the French be less great? Will they not have as sacred objects to defend? Are they not fighting for their fathers, their children, their wives, for their country and for liberty? Has the succession of centuries weakened in the human heart those sublime and tender affections, or enervated the courage which they inspire? No, surely not; they are eternal, like the nature from which they emanate; and in the French regenerated, in the French of '89, nature will not show herself degraded; but, I repeat, it is urgent to make this declaration. To feel secure much longer would prove the greatest of our dangers. Do you not see the smile of our interior enemies, announcing the approach of tyrants combined against you? Do you not foresee their guilty hopes and their criminal plots? Would you have no fear in regard to the character of ani-

mosity which our internal dissensions assume? Has the day not come to unite those who are in Rome and those who are on Mount Aventine?

Weary of the hardships of the Revolution or corrupted by the habit of grovelling around a castle and the insidious preachings of moderantism, will you wait until weak men become accustomed to speak of liberty without enthusiasm and slavery without horror? How does it happen that the constituted authorities are opposed to one another in their proceedings; that armed force forgets that its duty is to be obedient; that soldiers or generals undertake to mislead the legislative body and misguided citizens to direct, by the appearance of violence, the action of the chief of the executive power? Do they wish to establish a military government? That is perhaps the most imminent, the most terrible of our dangers. Murmurs are arising against the court: who shall dare to say they are unjust? It is suspected of perfidious plans; what facts can be quoted about it to scatter these suspicions? They speak of popular movements, of martial law; they try to familiarize the imagination with the blood of the people; the palace of the King of the French is suddenly changed to a stronghold; yet where are his enemies? Against whom are these cannons and these bayonets pointed? The defenders of the constitution have been repulsed by the ministry; the reins of the empire have remained floating at random at the moment when to hold them it needed as much vigor as patriotism. Everywhere discord is fomenting; fanaticism triumphing. Instead of taking a firm and patriotic direction to save it from torment, the government lets itself be carried away by the stormy winds which agitate it; its mobility inspires scorn in powerful foreigners; the audacity of those who vomit armies and swords against us chills the

good will of the peoples who make secret vows for the triumph of liberty.

The hostile cohorts are moving on, and perhaps in their insulting presumption they are already sharing our territory and crushing us with all the pride of a conquering and implacable tyrant. We are divided within; intrigue and perfidy are weaving treasons. The legislative body opposes the plots with rigorous but necessary decrees: an all-powerful hand tears them in pieces. In order to defend ourselves without, are our armies strong enough, disciplined enough, brought to sufficient perfection in those tactics which more than bravery decide the victory? Our fortunes, our lives, liberty are threatened; anarchy is approaching with all the scourges which disorganize political bodies. Despotism alone, lifting its long-humiliated head, enjoys our misery and awaits its prey to devour it. Call, it is time, call all the French to save the country; show them the abyss in all its immensity. Only by an extraordinary effort will they be able to clear it: it is for you to prepare them for it by an electrical movement which will give an impetus to the whole empire.

And here I will say to you that there will always exist for you a last means of bringing the hatred of despotism to its highest degree of fermentation, and of giving courage the exaltation which allows no uncertainty in our success.

This means is worthy of the august mission which you fill, of the generous people whom you represent; it can even gain some celebrity for that name and make you worthy to live in the memory of men: it will be to imitate the brave Spartans who sacrificed themselves at Thermopylæ; those venerable old men who, on leaving the Roman Senate, went to await death on their thresholds, the death which cruel con-

querors caused to march before them. No, you will not need to make vows to have avengers rise from your ashes. Ah! The day when your blood shall redden the earth, tyranny, its pride, its protectors, its palaces, its satellites, will vanish away forever before the national omnipotence. And if grief for not having made your country happy poisons your last moments you will at least carry away the consolation that your death will hasten the ruin of the people's oppressors and that your devotion will have saved liberty.

I propose to decree:

1. That the country is in danger;

2. That the ministers are responsible for whatever interior disturbances have religion for a pretext;

3. For all invasion of our territory, for want of precaution to replace in time the camp the formation of which you had decreed.

Then I propose a message to the king, an address to the French, to invite them to take the measures which circumstances make indispensable.

I propose in the fourth place that the 14th of July you should go in a body to the Federation to renew the oath of the 14th of January.

Finally I propose that a copy of the king's message, the address to the French, and the decree which you will make after this discussion, be carried into the departments by extraordinary couriers.

Above all I ask a prompt report on the conduct of General Lafayette.

CAMBON

PIERRE JOSEPH CAMBON, the famous financier of the French Revolutionary period, was born in 1754 at Montpellier. At the outbreak of the Revolution he was sent to represent the Tiers État in the States-General at Versailles. He was elected first deputy of the Department of the Herault in the Legislative Assembly in 1791. There he was placed at the head of the financial committee. He was afterward elected first deputy for Herault to the Convention in 1792. This body also honored him by placing him at the head of its financial committee. In 1793 he was made a member of the first Committee of Public Safety. He aided in the downfall of Robespierre, and soon afterward returned to Montpellier. Upon the return of the Bourbons in 1815 he was banished. He died in 1820 at Brussels.

THE CRISIS OF 1793

FROM AN ADDRESS IN CONVENTION, JULY 11, 1793, REPORTING ON THE CONDITION OF THE REPUBLIC

THE Committee of Public Safety having charged me to apprise you of the actual condition of the Republic, and of the operations it has conducted, I shall try to acquit myself of the duty.

You will recollect that, at the period of the establishment of the committee, the Republic was betrayed; Dumouriez had disorganized the armies of the North and the Ardennes, and there remained but about two thousand five hundred men in the garrisons of that whole frontier. The strongholds lacked provisions and munitions to sustain a siege, and this general, after having delivered to the Austrians the stores and arms for a considerable sum, would also have delivered up the fortifications without defence.

You know that this general abandoned at Liege ten thousand guns and twenty-five thousand uniforms, which he placed in store for the benefit of our enemies, while the soldiers of the Republic were in need, and to deceive them as to his bent, he made this hall echo with his hypocritical plaints of the nakedness of the army, to the end to throw the blame upon this Convention. The armies of the Rhine and the Moselle have been obliged to retreat and to abandon the environs of Mayence. They have sought frontier points and find themselves in a condition of disorganization which is the inevitable result of a forced retreat. The armies of the Alps and of Italy are tranquil since the snow in the mountains has separated them from the enemy. The Spaniards have attacked us in the direction of Bayonne and Perpignan. The armies of the Eastern and Western Pyrenees, of which we have heard much spoken, which were, it was frequently said, always on the point of organizing, are totally destitute. They need general officers, they have no cannon to take the field, hardly any ordnance for their siege guns, but little food stores, and few soldiers. The commissioners, Isnard, Aubry, and Despinassy, whom you sent to Perpignan, made you a reassuring report on the condition of that frontier; nevertheless the representatives of the people, who were there at the first invasion of the Spaniards, write you that it was totally abandoned; that the forts were nearly all dismantled; that most of the cannon found in the works lacked cartridges; that there were few if any stores, and that they were without food. As to our situation in the interior, fanatics having raised armies in La Vendée and adjoining departments, several strong cities came under the power of the rebels. It is hoped, however, that the courage of the Republicans will

stifle this rebellion in its birth; and since it is impossible to send disciplined troops there, the object may be attained by the levies made by requisition on the spot and some small bodies of veteran troops. Unfortunately, as you know, intrigues have weakened the public spirit in part of the departments; the citizens fail to show the energy necessary to combat the fanatics, who have their own form of energy; the bravery of the soldiers was not seconded or else was paralyzed by the perfidy of their chiefs; we lost arms, cannon, and stores, which were used against us. Orders were then given to bring up battalions of the army; they were halted in their march; the committee ordered arms and supplies; the administration checked these in their passage; thenceforward there seemed to be no union in any operations; it might even be said that each administrator seemed occupied only in the defence of his own position; formed his own little army, and named his general, so that it was impossible that any comprehensive system of defence could be followed. At the same time we had to defend the ports of Brest and Cherbourg. There were but a few scattered troops in these garrisons. On the coasts of Brittany, where a revolt had broken out, there were hardly five thousand troops, a number not sufficient even to equip the ships of the line.

The coasts and seaports of the Republic did not present conditions reassuring those who hoped for their defence: everywhere cannon were being asked for, and calls were made for ammunition and men to man the redoubts. But little activity was displayed in fitting out the fleets of the Republic. The ports of Brest, Rochefort, and L'Orient had but six vessels of the line fit to put to sea, and the Mediterranean fleet was being repaired at Toulon.

You had one hundred and seventy representatives of the people in the departments to excite the patriotism of the citizens for the enlistment of three hundred thousand men, or on diverse missions of recruiting; but one of the subterfuges of the enemy was to calumniate and discredit them. To check the success of their operations, nothing was left undone to decry them, to asperse their authority, and to create enemies for them. Everywhere a word was hurled at them which has since become the title of a party, they were called "Maratists"—a name invented by our enemies to decry the most energetic of our patriots. It was said that "Maratists" were assassins, the partisans of the Agrarian Laws and of royalty for the Duke of Orleans. Very soon a portion of this Assembly bore the same reproach. In spite of all these obstacles, the recruiting of three hundred thousand men was a success, but your commissioners had to have recourse to a few revolutionary acts necessitated by the resistance made by the aristocrats and moderates, in the endeavor to paralyze their efforts. Nevertheless I can say to France, without the mission of these commissioners, in place of the three hundred thousand men needed to defend France, you would hardly have had twenty thousand. Such was the condition of the Republic when the Committee of Public Safety was organized.

What has your committee done? It commenced by having from the Executive Council a full statement of the means they had adopted to save the public. But the Executive Council itself was paralyzed. The Minister of War had just been arrested, there was no force in the government, several of the ministers lacked the confidence of the public. The administrations were nullities, inapt and careless; everywhere were wanting men, arms, clothing,

munitions of war, and food. At last demands came from all sections. Our political relations abroad felt the torpor into which our government had fallen.

Your committee felt they must take decided measures. They recognized that at such a critical moment, where all could not be foreseen or united at the centre, the power should be disseminated; that commissioners were needed to save the Republic, excite the zeal of the citizens, improvise armies, survey their equipment, and prevent treason.

They found that the one hundred and seventy commissioners sent into the departments depleted the Convention too much. They proposed to you the recall of those whose missions were fulfilled, or whose duties were not essentially important.

The powers of your commissioners were unlimited, and frequently their purposes and operations crossed each other. The committee thought well to organize a surveillance; they proposed instructions which would definitely determine the power of the representatives of the people. Here the malevolence which pursued all your decrees again sought to check the work of your new commissioners. Everywhere they were held up as disorganizers, "Maratists," "proconsuls," "dictators." Nevertheless, this surveillance, which you created by the law of the thirtieth of April last, has saved the Republic; it has provisioned the army and the forts; it has given activity even to the generals. Over three thousand deliberations have been held by these commissioners—not to commit arbitrary acts, but to organize, arm and equip the armies, which, without their aid, would still be in the most extreme disorder. Since this organization, complaints and demands for food, clothing, and forage have diminished; for the representatives of the

people on the spot have neglected nothing to supply really pressing demands. Our enemies have felt this power, and, not wishing us to succeed in our defence, have, with the word "Marat," sought to stifle the energy of the patriots. Your committee thought also to excite the zeal of the administrators to coöperate for the common defence. When arms were wanting efforts were made, by letter and instruction, to create or perfect establishments for the manufacture of new and the repair of old guns; to equip fowling-pieces with bayonets, and to use superfluous bells for the casting of field-pieces. They superintended the manufacture of gunpowder and the casting of bullets, and urged on all to second in every way the representatives of the people in clothing and equipping the armies, in surveying the defences of the seaports, forts, and coasts, and to prepare, as far as possible, for the formation of corps of cavalry, by the employment of the horses used in carriages and for pleasure.

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KING

RUFUS KING, an American statesman, was born at Scarborough, Maine, March 24, 1755, and educated at Harvard University. He studied law at Newburyport with Theophilus Parsons and after his admittance to the bar soon rose to prominence. In 1783 he entered the General Court of Massachusetts, and in the year following was sent to the Continental Congress. In 1785 he moved in Congress that there "should be neither slavery nor involuntary servitude in any of the States described in the resolution of Congress in April, 1784, otherwise than in punishment of crimes of which the party shall have been personally guilty." Two years later King's motion was adopted almost literally for the government of the Northwest Territory. King was a member of the Constitutional Convention, and the subsequent ratification of the constitution by Massachusetts was due in some measure to his eloquent explanation of its advantages. In 1788 he removed to New York city and was elected to the New York Senate the next year, and very shortly afterwards to the United States Senate. While a member of that body he ardently advocated the Jay treaty of 1794, and with Hamilton published a series of papers signed "Camillus," in explanation of its principles. From 1796 to 1803 King was minister to England, but was relieved in the last-named year at his own request, and in 1805 removed to Jamaica, Long Island, where he lived several years in semi-retirement. He was opposed to the second war with England, but when the war was finally declared and he had returned to the national Senate in 1813 he supported the course of the administration in his speeches. After the burning of the public buildings at Washington by the English troops in 1814, it was at first proposed to abandon the locality as the site of a national capital, and against this suggestion King made a very eloquent appeal. In 1818 he was an unsuccessful candidate for the governorship of New York, and also for the presidency against Monroe. After his re-election to the Senate in 1819 he actively opposed the admission of Missouri to the Union as a slave State, and also opposed the Missouri Compromise. In 1825 his intention to retire to private life was overruled by President Adams, who prevailed upon him to accept the post of minister to England. He returned to America, however, the next year on account of failing health and died in New York city April 29, 1827.

SPEECH OF NAVIGATION ACT

DELIVERED IN THE SENATE OF THE UNITED STATES, APRIL 3, 1818

AGRICULTURE, manufactures, and foreign commerce are the true source of the wealth and power of nations. Agriculture is the chief and well-rewarded occupation of our people, and yields, in addition

to what we want for our own use, a great surplus for exportation. Manufactures are making a sure and steady progress; and, with the abundance of food and of raw materials which the country affords, will at no distant day be sufficient, in the principal branches, for our own consumption and furnish a valuable addition to our exports. But without shipping and seamen the surpluses of agriculture and of manufactures would depreciate on our hands: the cotton, tobacco, breadstuffs, provisions, and manufactures would turn out to be of little worth unless we have ships and mariners to carry them abroad and to distribute them in the foreign markets.

Nations have adopted different theories as respects the assistance to be derived from navigation; some have been content with a passive foreign commerce — owning no ships themslves, but depending on foreigners and foreign vessels to bring them their supplies and to purchase of them their surpluses; while others, and almost every modern nation that borders upon the ocean, have preferred an active foreign trade, carried on, as far as consistent with the reciprocal rights of others, by national ships and seamen.

A dependence upon foreign navigation subjects those who are so dependent to the known disadvantages from foreign wars, and to the expense and risk of the navigation of belligerent nations; the policy of employing a national shipping is therefore almost universally approved and adopted: it affords not only a more certain means of prosecuting foreign commerce, but the freight, as well as the profits of trade, are added to the stock of the nation. The value and importance of national shipping and seamen have created among the great maritime powers, and particularly in England, a strong desire to acquire, by restrictions and exclusions, a disproportionate share of the general commerce of the world.

As all nations have equal rights, and each may claim equal advantages in its intercourse with others, the true theory of international commerce is one of equality and of reciprocal benefits: this theory gives to enterprise, to skill, and to capital, their just and natural advantages; any other scheme is artificial; and so far as it aims at advantages over those who adhere to the open system, it aims at profit at the expense of natural justice.

The colonial system, being founded in this vicious theory, has therefore proved to be the fruitful source of dissatisfaction, insecurity, and war. According to this system the colonies were depressed below the rank of their fellow subjects, and the fruits of their industry and their intercourse with foreign countries placed under different regulations from those of the inhabitants of the mother country. It was the denial to Americans of the rights enjoyed by Englishmen that produced the American revolution — and the same cause, greatly aggravated, is producing the same effect in South America.

Among the navigators and discoverers of the sixteenth and seventeenth centuries the Dutch became highly distinguished, and, by enterprise, economy, and perseverance, made themselves the carriers of other nations, and their country the *entrepot* of Europe; and it was not until the middle of the last-mentioned century that England passed her Navigation Act, which had for its object to curtail the navigation of the Dutch and to extend her own.

According to this act the whole trade and intercourse between England, Asia, Africa, and America, were confined to the shipping and mariners of England; and the intercourse between England and the rest of Europe was placed under regulations which in a great measure confined the same to

English ships and English seamen. This act was strenuously opposed by the Dutch, and proved the occasion of the obstinate naval wars that afterwards followed. England was victorious, persisted in her Navigation Act, and in the end broke down the monopoly in trade which the Dutch had until then possessed.

That in vindication of her equal right to navigate the ocean, England should have resisted the monopoly of the Dutch, and freely expended her blood and treasure to obtain her just share of the general commerce, deserved the approbation of all impartial men. But, having accomplished this object, that she should herself aim at, and in the end establish, the same exclusive system and on a more extended scale, is neither consistent with her own laudable principles nor compatible with the rights of others; who, relatively to her monopoly now, are in the like situation towards England as England was towards the Dutch when she asserted and made good her rights against them.

By the English Act of Navigation the trade of her colonies is restrained to the dominions of the mother country; and none but English ships, "whereof the master and three-fourths of her mariners are English," are allowed to engage in it.

So long as colonies are within such limits as leaves to other nations a convenient resort to foreign markets for the exchange of the goods which they have to sell for those they want to buy, so long this system is tolerable; but if the power of a state enables it to increase the number of its colonies and dependent territories so that it becomes the mistress of the great military and commercial stations throughout the globe, this extension of dominion, and the consequent monopoly of commerce, seem to be incompatible with and necessarily to abridge the equal rights of other states.

In the late debates of the English Parliament the minister in the House of Lords stated "that instead of seventeen thousand men, employed abroad in 1791, forty-one thousand were then (1816) required, exclusive of those that were serving in France and in India; that England now has forty-three principal colonies, in all of which troops are necessary; that sixteen of these principal colonies were acquired since 1791, and six of them had grown into that rank from mere colonial dependencies." And in the House of Commons the minister, alluding to the acquisitions made during the late war with France, said "that England had acquired what in former days would have been thought a romance—she had acquired the keys of every great military station."

Thus the commercial aggrandizement of England has become such as that the men who protested against monopoly, and devised the Navigation Act to break it down, could never have anticipated. And it may ere long concern other nations to inquire whether laws and principles applicable to the narrow limits of English dominion and commerce at the date of the Navigation Act, when colonies and commerce, and even navigation itself, were comparatively in their infancy,—laws and principles aimed against monopoly and adopted to secure to England her just share in the general commerce and navigation,—ought to be used by England to perpetuate in her own hands a system equally as exclusive and far more comprehensive than that which she was the chief agent to abolish.

Our commercial system is an open one—our ports and commerce are free to all. We neither possess, nor desire to possess, colonies; nor do we object that others should possess them, subject to the ordinary rules and regulations of the colonial system, unless thereby the general commerce of the

world be so abridged that we are restrained in our intercourse with foreign countries wanting our supplies and furnishing in return those which we stand in need of.

It is not, however, to the colonial system, but to a new principle, which in modern times has been incorporated with those of the Navigation Act, that we now object. According to this act no direct trade or intercourse can be carried on between a colony and a foreign country; but yet, by the Free Port Bill, passed in the present reign, the English contraband trade, which had been long pursued, in violation of Spanish laws, between the English and Spanish colonies, was sanctioned and regulated by an English act of Parliament; and, since the independence of the United States, England has passed laws opening an intercourse and trade between her West India colonies and the United States, and, excluding the shipping and seamen of the United States, has confined the same to English ships and seamen; thus departing not only from the principles of the Navigation Act, which she was at liberty to do, by opening a direct intercourse between the colonies and a foreign country, but controlling, which she had no authority to do, the reciprocal rights of the United States to employ their own vessels to carry it on.

Colonies, being parts of the nation, are subject to its regulations, and according to the practice of Europe they have been considered as a monopoly of the mother country; but, as has been stated in former discussions of this subject, when an intercourse and trade are once opened between colonies and a foreign country, the foreign country becomes a party, and thereby has a reciprocal claim to employ its own vessels and seamen equally in the intercourse and trade with such colonies as with any other part of the nation to which they belong.

Governments owe it to the trust confided to them carefully to watch over, and by all suitable means to promote, the general welfare; and while, on account of a small or doubtful inconvenience, they will not disturb a beneficial intercourse between their own people and a foreign country, they ought not to omit the interposition of their corrective authority whenever an important public interest is invaded or the national reputation affected. "It is good not to try experiments in states unless the necessity be urgent or the utility evident; and it is well to beware that it be the reformation that draweth on the change, and not the desire of change that pretendeth the reformation." In this case the importance of the reformation is seen and acknowledged by every one, and the delay that has occurred in the making of it may call for explanation.

We are unable to state with accuracy the tonnage and seamen employed before the Revolution, in the trade between the territories of the United States and the other English colonies; but it is known to have been a principal branch of the American navigation. The colonies that England has since acquired from France, Spain, and Holland, together with the increased population of the old colonies, require more ships and seamen to be employed in the trade now than were engaged in it before the independence of the United States. Without reference to the tonnage and trade between the United States and the English West India colonies during the late wars between England and France, which, by reason of the suspension of the English Navigation Act and the neutrality of the United States, will not afford a correct standard by which the tonnage and trade in time of peace can be ascertained, our custom-house returns are the best documents that we can consult upon this subject.

According to a late report from the department of the treasury, the tonnage employed in this trade during the year 1816, which may be taken as a pretty fair average, amounted to one hundred and two thousand tons, requiring upwards of five thousand seamen. There may be some error in this return though we are not able to detect it. The magnitude and importance of the shipping and seamen engaged in this trade will be more readily understood by comparison than otherwise.

The tonnage thus employed exceeds the whole tonnage employed by the English East India Company in its trade with Asia; is nearly a moiety of the American and English tonnage employed between the United States and England, and her possessions in Europe; is equal to the American tonnage employed between the United States and England; and is almost an eighth part of the whole registered tonnage of the United States.

To the loss of profits which would accrue from an equal participation in this trade may be added the loss of an equal share of the freights made by the vessels engaged in it, the aggregate amount whereof must be equal to two millions of dollars annually. Other advantages are enjoyed by England in the possession of the exclusive navigation between the United States and her colonies and between them and England. Freights are made by English vessels between England and the United States; between them and the English colonies as well as between these colonies and England. English voyages are thus made on the three sides of the triangle, while those of the United States are confined to one side of it; that between the United States and England.

But the money value of this great portion of our navigation, claimed and hitherto enjoyed by England, although an object

that deserves the public protection, is not the most important view in which the same should be considered by the Senate. We must learn wisdom from past times; and while the experience of the father is too often lost on the son, this ought not to be the case in the affairs of nations, which, living from age to age, and profiting by long experience, should become wiser as they grow older. The present condition of nations, and especially that of the inhabitants of our own continent, merits our watchful attention and admonishes us to cherish our national resources, and seasonably to devise, and perseveringly to build up, those establishments that our present safety demands, and which may be commensurate with our future destiny.

Justice and moderation, which, we confidently hope, may preside over and guide our public counsels, have not been found to be a sufficient armor for the defence of nations. "Wisdom, in the ancient mythology, was represented as armed, because experience had proved that good examples and noble precepts fail of their efficacy unaccompanied by a power to enforce them." To defend ourselves, our houses, our harbors, and our commerce, from foreign aggression and violence, a navy is acknowledged to be necessary. From the land side we are safe; against dangers from the ocean, a navy will prove to be our cheap, our sure, and most efficient defence. Although a subject of doubt heretofore, this truth is now so well understood and so universally admitted that it would be to misspend the time of the Senate to enter into its development.

An efficient navy never has existed, and cannot exist, without a commercial marine, and the maritime history of Europe, which abounds with instruction on this subject, demonstrates this political truth, that the naval power of every nation is in

proportion to its ships and seamen. Money may build ships, but the navigation of the great ocean only can make seamen; and it is in connection with this view of the subject that the exclusion of our shipping and seamen from the navigation between the United States and the colonies of England derives its chief importance.

The prosperity and safety of nations are promoted and established by institutions early and wisely adapted to these ends. A navy being such an institution, and our experience having proved its importance, it has become the duty of Congress to adopt and to enforce those regulations that are necessary to its efficient establishment.

BARÈRE

BERTRAND BARÈRE, or BARÈRE DE VIEUZAC, a famous French orator and revolutionist, was born at Tarbes, France, September 10, 1755, and died there, January 13, 1841. He received an excellent education in Paris and at twenty was a judge in the sénéchaussée of Tarbes, but he resigned his office on account of his reluctance to condemn convicted criminals. He practised at the Toulouse bar, acquiring a more than local reputation for eloquence, and in 1789 was elected to the States-General for Bigorre. In that body he was the favorite speaker of the Centre, as the majority was called. After the dissolution of the States-General he became a member of the National Convention, in which he voted for the death of the king. He was an opportunist in his political philosophy, and when he perceived that the throne was tottering was among the earliest to clamor for a republic. He at first inclined somewhat to the Girondist views, but after becoming one of the committee of public safety, whose proceedings he reported, he supported the Jacobins in their contest with the Girondins. A man of great natural refinement and elegance, he was styled "the Anacreon of the Guillotine" because, says Lamartine, "he scattered in his reports soft images, blended with sinister decrees like flowers upon blood." Barère always distrusted Robespierre, and after the overturn of the 9th Thermidor, 1794, he sided with the foes of that leader. He was subsequently imprisoned on the island of Oléron, but was amnestied on the establishment of the consulate of Napoleon. He supported the Bourbons after Napoleon's exile to Elba, but, being implicated in the proceedings of the Hundred Days in 1815, was the next year exiled as a regicide. Barère resided at Brussels until 1830, when the revolution of July allowed of his return to France, and his remaining years were spent at Tarbes, a pension having been granted to him by Louis Philippe. The character of Barère has been the theme of much difference of opinion, and while in some quarters he has been unsparingly denounced he has found apologists in others. His writings include "The Poetic Beauties of Young," "The Songs of Tyrtæus," "The Life of Cleopatra," "Theory of the Constitution of Great Britain," "Memoirs" (1843).

THE NECESSITY FOR TEACHING THE FRENCH LANGUAGE

JANUARY 27, 1794

CITIZENS,—The tyrants in coalition have said: "Ignorance was always our most powerful auxiliary; let us maintain ignorance, it makes fanatics, it multiplies counter-revolutionists. Let us make the French retrograde toward barbarism; let us make use of uneducated peo-

ple or of those who speak a different idiom from that of public instruction."

The Committee has heard this plot of ignorance and despotism.

I come to call your attention to-day to the most beautiful language of Europe, that which first openly consecrated the rights of the man and the citizen, that which is charged with transmitting to the world the most sublime thoughts of liberty and the greatest political speculations.

For a long time it was a slave, it flattered kings, corrupted courts, and enslaved the people; for a long time it was dishonored in the schools and taught lies in books of public education; crafty in the tribunals, fanatical in the temples, barbarous in diplomas, weakened by the poets, a corrupter in the theatres, it seemed to await or rather desire a finer destiny.

Refined at last and softened by certain dramatic authors, ennobled and shining in the discourse of certain orators, it came to recover energy, reason, and liberty under the pen of certain philosophers whom persecution had honored before the Revolution of 1789.

But it still seemed to belong only to certain classes of society; it had taken on the hue of aristocratic distinctions; and the courtier, not content with being distinguished for his vices and depredations, tried again to distinguish himself in the same country with another language. One would have said that there were several nations in one.

That must exist in a monarchical government where one gave proofs in order to enter a house of education, in a country where a certain rigmarole is necessary to be what is called good company, and where the language must be lisped in a particular manner in order to be a man *comme il faut.*

These puerile distinctions have disappeared with the grimaces of ridiculous courtiers and the futilities of a perverse court. Even the proud accent more or less pure or sonorous no longer exists, since the citizens gathered from all parts of the Republic expressed in the National Assemblies their desire for liberty and their thoughts for common legislation. Formerly they were slaves of various gradations of brilliancy; they discussed the priority of fashions and languages. Free men gathered together, and the vigorous accent of liberty and equality is the same, whether it comes from the mouth of an inhabitant of the Alps or the Vosges, the Pyrenees or the Cantal, from Mont-Blanc or Mont-Terrible, whether it becomes the expression of men in the central districts, in the maritime countries, or on the frontiers.

Four points in the territory of the Republic are alone worthy of fixing the attention of the revolutionary legislator with regard to the dialects which seem the most opposed to the propagation of public spirit and present obstacles to the knowledge of the laws of the Republic and to their execution.

Among the former dialects, Velches, Gascons, Celtic, Visigoth, Phocean, or Oriental, which form the differences in the communications of diverse citizens and countries forming the territory of the Republic, we have observed (and the reports of the representatives are agreed on this point with those of different agents sent into the departments) that the dialect called Bas-Breton, the Basque dialect, the German and Italian languages have perpetuated the reign of fanaticism and superstition, assured the domination of priests, nobles, and lawyers, hindered the Revolution from penetrating into nine important departments, and are able to favor the enemies of France.

I will begin with the Bas-Breton. It is spoken exclusively in almost all the departments of the Morbihan, Finistère, the Côtes-du-Nord, a part of Ille-et-Vilaine, and in a great part of the Loire-Inférieure. There ignorance perpetuates the yoke imposed by the priests and nobles; there the citizens are born and die in error: they are ignorant whether new laws as yet exist.

The inhabitants in the country understand only Bas-Breton; with this barbarous instrument of their superstitious thoughts the priests and intriguers hold them under their sway, direct their consciences, and prevent the citizens from knowing the laws and loving the Republic. Your labors are unknown to them. They are ignorant of your efforts for their emancipation.

Public education cannot be established there. National regeneration is impossible there. It is an indestructible federalism which is founded on the lack of communication of thoughts, and if the different departments, in the country districts alone, spoke different dialects, such federations could be corrected only with instructors and schoolmasters, and only in several years' time.

The consequences of this dialect, too long perpetuated and too generally spoken in the five departments of the West, are so evident that the peasants (according to the report of people who have been sent there) confound the word law and that of religion to such an extent that, when the public functionaries speak to them about the laws of the Republic and the decrees of the Convention, they exclaim in their vulgar language: "Do they want to keep making us change our religion?"

What Machiavelism in the priests, to have confounded law and religion in the thought of these good inhabitants in the

country! Judge by this particular feature whether it is important to concern ourselves with this object. You have taken away from these mistaken fanatics the dominion of saints and substituted the calendar of the Republic; take away the dominion of priests by teaching the French language.

In the departments of the Haut- and the Bas-Rhin, who called, in concert with the traitors, the Prussian and Austrian to our invaded frontiers? Does not the inhabitant of the country districts speak the same language as our enemies, and thus think himself more their brother and their fellow citizen than the brother and the fellow citizen of the Frenchmen who speak another language and have other customs?

The power of identity of language has been so great that at the retreat of the Germans more than twenty thousand men emigrated from the districts of the Bas-Rhin. The empire of language and intelligence which reigned among our enemies in Germany and our fellow citizens of the department of the Bas-Rhin is so incontestable that they have not been stopped in their emigration by everything that men hold most dear, the soil which has seen them born, their household gods, and the land which they have cultivated. The difference of conditions and pride has brought about the first emigration which gave to France thousands of millions; the difference of language, lack of education, ignorance produced the second emigration, leaving almost a whole department without cultivators. Thus the counter-revolution was established on some of the frontiers by having recourse to foreign or barbarous dialects to which we should have put an end.

Toward another end of the Republic is a new, although ancient, people, a pastoral and searfearing people who were

never slaves nor masters, whom Cæsar could not conquer in the midst of his triumphal career among the Gauls, whom Spain could not reach in the midst of her revolutions, and the despotism of our despots could not submit to the yoke of intendants. I mean the Basque people. They occupy the extremity of the Occidental Pyrenees, which extend to the ocean. A sonorous and picturesque language is regarded among them as the seal of their origin and the heritage transmitted by their ancestors. But they have priests, and their priests make use of their dialect to fanaticize them; but they are ignorant of the French language and the language of the laws of the Republic. So they must learn it, for in spite of the difference of the language and in spite of their priests they are devoted to the Republic, which they have already defended with valor along the Bidassoa and on our squadrons.

Another department is worthy of attracting your attention; it is the department of Corsica. Ardent friends of liberty, when a perfidious Paoli and federalist administrators leagued with priests do not lead them astray, the Corsicans are French citizens; but for four years during the Revolution they have not known our laws, they are not acquainted with the events and crises of our liberty.

Too near neighbors to Italy, what could they receive from it? Priests, indulgences, seditious addresses, fanatical movements. Pascal Paoli, through gratitude an Englishman, deceitful through habit, feeble on account of his age, Italian in principle, sacerdotal from necessity, makes powerful use of the Italian language to pervert public spirit, to mislead the people, to increase his party; above all he makes use of the ignorance of the inhabitants of Corsica, who do not even suspect the existence of French laws, because they are in a language they do not understand.

It is true that a few months ago our legislation was translated into Italian; but would it not be better to establish instructors of our language there than translators of a foreign tongue?

Citizens, it is thus that *la Vendée* was born; her cradle was ignorance of the laws, her growth was in the means employed to prevent the Revolution from penetrating there; and then the gods of ignorance, refractory priests, conspirators of the nobility, greedy practitioners, and weak administrators or accomplices opened a hideous wound in the bosom of France; so let us crush ignorance, let us establish instructors of the French language in the country.

For three years the National Assemblies have been talking and discussing about public education; for a long time the need of primary schools has been felt: these are moral means of subsistence of first necessity which the country districts demand of you; but perhaps we are still too academic and too far from the people to give them the institutions best adapted to their most urgent needs.

The laws of education prepare people to be artisans, artists, scholars, literary men, legislators, and public functionaries; but the first laws of education ought to prepare citizens: but, to be a citizen the laws must be obeyed, and to obey them it is necessary to know them. So you owe to the people primary education to put them in a way to understand the voice of the legislator. What a contradiction is presented to all minds by the departments of the Upper and Lower Rhine, those of Morbihan, Finistère, Ille-et-Vilaine, Loire-Inférieure, the Côtes-du-Nord, the Basses-Pyrenées, and Corsica? The legislator speaks a language which those who have to execute and obey it do not understand. The ancients never knew such striking and dangerous contrasts.

The language must be made popular; that aristocracy of language which seems to establish a polite nation in the midst of a barbarous one must be destroyed.

We have revolutionized the government, the laws, usages, manners, costumes, the commerce, and even the thoughts; let us revolutionize also the language which is their daily instrument.

You have decreed sending the laws to all the communes of the Republic; but this benefit is lost for those of the departments I have already indicated. The light brought at great expense to the extreme limits of France is extinguished when it reaches there, since the laws are not understood.

Federalism and superstition speak Bas-Breton; emigration and hatred speak German; the counter-revolution speaks Italian; fanaticism speaks Basque. Let us break these instruments of harm and error.

The committee has thought that it ought to propose to you, as an urgent and revolutionary measure, to give to each country commune in the departments designated an instructor of the French language, charged with teaching the young people of both sexes, and with reading every ten days to all the other citizens of the commune the laws, the decrees, and instructions sent by the Convention. These instructors will have to translate these laws vocally for an easier understanding at first. Rome instructed her youth by teaching them to read in the Law of the Twelve Tables. France will teach a part of the citizens the French language, in the book of the Declaration of Rights.

It is not that other dialects more or less vulgar do not exist in other departments; but they are not exclusive, they do not hinder the knowledge of the national language. If it is not equally well spoken everywhere it is at least easily

understood. The clubs and patriotic societies are primary schools for the language and for liberty; they will suffice to make it known in the departments where there still remain too many traces of those *patois*, of the jargon maintained through habit and propagated by neglected education or no education at all. The legislator ought to see from above and thus ought to notice only very pronounced shades, only enormous differences; there should be instructors of language only in a country which, accustomed exclusively to a dialect, is, so to speak, isolated and separated from the great family.

These instructors should belong to no religious function whatever; no priesthood in public instruction; good patriots, enlightened men, these are the first qualities necessary for having to do with education.

Popular societies will name candidates; that is from their midst, from the towns which these instructors ought to come from; they will be chosen by the representatives of the people sent to establish the revolutionary government.

Their salaries will be paid out of the public treasury. The Republic owes elementary instruction to all the citizens; their salary will not arouse cupidity; it should be sufficient for the needs of a man in the country; it will be fifteen hundred francs a year. The assiduity proved by the constituted authorities will be a caution to the Republic in the payment it will make to these instructors who are going to fill a more important mission than appears at first. They are going to create men for liberty, to attach citizens to the country, and prepare the execution of the laws by making them known.

This proposition from the committee will perhaps have a frivolous appearance in the eyes of ordinary men, but I

am speaking to popular legislators charged with presiding over the finest revolution which politics and the human mind have as yet experienced.

If I spoke to a despot, he would blame me; in the monarchy every house, every commune, every province was in a certain way a separate empire of manners, usages, laws, customs, and languages. The despot needed to isolate the people, to separate the countries, to divide interests, to hinder communication, to arrest simultaneity of thoughts, and the identity of movements. Despotism maintained the variety of dialects; a monarchy ought to resemble the tower of Babel; there is but one universal tongue for the tyrant, that of force in order to have obedience, and that of taxes to have money.

In a democracy, on the contrary, the supervision of the government is confided to each citizen; in order to supervise it it is necessary to know it; above all, it is necessary to know its language.

The laws of a republic suppose especial care from all the citizens, one over another, and a constant watchfulness concerning the observation of laws and the conduct of public functionaries. Can this be promised amid the confusion of tongues, the negligence of primary education among the people, the ignorance of the citizens?

Besides, how much we have spent for the translation of the laws of the two first National Assemblies into the different dialects spoken in France, as if it were for us to maintain these barbarous jargons and coarse dialects which can only be of use to fanatics and counter-revolutionists.

To leave the citizens in ignorance of the national tongue is to betray the fatherland; to let the torrent of light be poisoned or obstructed in its course is to misunderstand

the benefits of printing; for each printer is a public instructor of language and legislation.

Will you leave fruitless, on any part of the territory, that beautiful invention which multiplies thoughts and propagates light, which reproduces laws and decrees, and extends them in a week's time over the whole surface of the republic; an invention which makes the National Convention present at every commune, and alone can assure the light of education, public spirit, and the democratic government of a great nation?

Citizens, the language of a free people ought to be one and the same for all.

As soon as men think, as soon as they can combine their thoughts, the rule of priests, despots, and intriguers is doomed.

So let us give to the citizens the instrument of public thought, the surest agent of the revolution, the same language.

What! While foreign people over the whole globe are learning the French language, while our public papers are circulating in all regions, while the "Journal Universel" and the "Journal des Hommes Libres" are read in all nations, from one pole to the other, can it be said that there exist in France six hundred thousand Frenchmen who are absolutely ignorant of the language of their nation, and who are neither familiar with the laws nor the revolution which is going on in their midst?

Let us have the pride which the pre-eminence of the French language ought to give, since it is republican, and let us fulfill a duty.

Let us give up the Italian language consecrated to the delights of harmony and the expressions of an effeminate and corrupt poetry.

Let us give up the German language, little fitted for free people, until the feudal and military government of which it is the most worthy organ be annihilated.

Let us give up the Spanish language to its inquisition and its universities until it expresses the expulsion of the Bourbons who have dethroned the people of all Spain.

As to the English language, which was great and free the day it became enriched with these words, "the majesty of the people," it is no more than the dialect of a tyrannical and execrable government, of the bank and bills of exchange.

Our enemies made the French language the court language; they degraded it. It is for us to make it the language of the people, and it will be honored.

It belongs only to a language which has lent its accents to liberty and equality; to a language having a legislative tribune and two thousand popular tribunes; which has great halls to hold vast assemblies and theatres to celebrate patriotism; it belongs only to the language which for four years has been read by all peoples; which describes to all Europe the valor of fourteen armies; which is instrumental in the glory of the capture of Toulon, of Landau, of Fort Vauban, and the annihilation of royal armies: it belongs to it alone to become the universal language.

But this ambition is that of the genius of liberty; it will fulfill it. As for us, we owe to our fellow citizens, we owe to the consolidation of the Republic, that the language in which the Declaration of Rights of Man is written be spoken throughout our land.

[Special translation by Helen B. Dele.]

MARSHALL

JOHN MARSHALL, a distinguished American jurist, was the son of a Virginia planter, and was born at Germantown, Virginia, September 24, 1755. After obtaining an excellent education at home and at private schools he began the study of law at eighteen, but his studies were soon interrupted by his joining the continental army, where he continued as an officer in active service till 1779. In that year he attended law lectures in William and Mary College, and was presently licensed to practise law, but he remained in the army some months longer. Resigning his commission in 1781, he entered upon his profession and a little later was elected to the Virginia legislature. He was strongly in favor of the federal constitution, and its ratification by his native State was mainly due to the efforts of Marshall and Madison. With Pinkney and Gerry he went as envoy to France, where he and Pinkney were not allowed to remain on account of their being Federalists. He entered Congress as a strong Federalist member in 1797, and in 1801 was appointed chief justice, an office which he held until his death at Philadelphia, July 6, 1835. Marshall ranks among the foremost jurists. His decisions are invariably logical, and are marked by fine judicial insight and breadth of view. In his constitutional decisions he accomplished a great deal towards establishing the dignity of the federal government. He was the author of an excellent "Life of Washington," issued in 1805, and revised in 1832. The first volume of this work was published separately in 1824 as a "History of the American Colonies."

SPEECH ON THE FEDERAL CONSTITUTION

DELIVERED JUNE 10, 1788

MR. CHAIRMAN,—I conceive that the object of the discussion now before us is whether democracy or despotism be most eligible. I am sure that those who framed the system submitted to our investigation, and those who now support it, intend the establishment and security of the former. The supporters of the constitution claim the title of being firm friends of the liberty and the rights of mankind. They say that they consider it as the best means of protecting liberty. We, sir, idolize democracy. Those

who oppose it have bestowed eulogiums on monarchy. We prefer this system to any monarchy because we are convinced that it has a greater tendency to secure our liberty and promote our happiness. We admire it because we think it a well-regulated democracy: it is recommended to the good people of this country: they are, through us, to declare whether it be such a plan of government as will establish and secure their freedom.

Permit me to attend to what the honorable gentleman, Mr. Henry, has said. He has expatiated on the necessity of a due attention to certain maxims, to certain fundamental principles, from which a free people ought never to depart. I concur with him in the propriety of the observance of such maxims. They are necessary in any government, but more essential to a democracy than to any other.

What are the favorite maxims of democracy?

A strict observance of justice and public faith and a steady adherence to virtue. These, sir, are the principles of a good government. No mischief, no misfortune, ought to deter us from a strict observance of justice and public faith. Would to heaven that these principles had been observed under the present government! Had this been the case the friends of liberty would not be so willing now to part with it. Can we boast that our government is founded on these maxims? Can we pretend to the enjoyment of political freedom or security when we are told that a man has been, by an act of Assembly, struck out of existence without a trial by jury, without examination, without being confronted with his accusers and witnesses, without the benefits of the law of the land? Where is our safety when we are told that this act was justifiable because the person was not a Socrates? What has become of the worthy member's maxims? Is this one of them? Shall

it be a maxim that a man shall be deprived of his life without the benefit of law? Shall such a deprivation of life be justified by answering, that the man's life was not taken [illegible] because he was a bad man? Shall it be a maxim that government ought not to be empowered to protect virtue?

The honorable member, after attempting to vindicate that unconstitutional legislative act to which I have been alluding, proceeded to take a view of the dangers to which this country is exposed. He told us that the principal danger arose from a government which, if adopted, would give away the Mississippi.

I intended to proceed regularly, by attending to the clause under debate; but I must reply to some observations which were made upon it to make impressions on our minds unfavorable to the [illegible] upon the table. Have we no navigation in, or do we derive no benefit from, the Mississippi? How shall we retain it? By retaining that weak government which has [illegible] kept it from us? Is it thus that we shall secure that navigation? Give the government the power of retaining it and then we may hope to derive actual advantages from it. Till we do this we cannot expect that a government which hitherto has not been able to protect it will have the power to do it hereafter. Have we attended too long to consider whether this government would be able to protect us? Shall we wait for further proofs of its inefficacy? If on mature consideration the constitution will be found to be perfectly right as the subject of treaties, and containing no danger of losing that navigation, will he still object? Will he object because eight States are unwilling to part with it? This is no good ground of objection.

He then stated the necessity and probability of obtaining

amendments. This we ought to postpone until we come to that clause, and make up our minds whether there be anything unsafe in this system. He conceived it impossible to obtain amendments after adopting it. If he was right, does not his own argument prove that in his own conception previous amendments cannot be had? for, sir, if subsequent amendments cannot be obtained, shall we get amendments before we ratify? The reasons against the latter do not
6 apply against the former.

There are in this State, and in every State in the Union, many who are decided enemies of the Union. Reflect on the probable conduct of such men. What will they do? They will bring amendments which are local in their nature and which they know will not be accepted. What security have we that other States will not do the same. We are told that many in the States were violently opposed to it. They are more mindful of local interests. They will never propose such amendments as they think would be obtained.

Disunion will be their object. This will be attained by the proposal of unreasonable amendments. This, sir, though a strong cause, is not the only one that will militate against previous amendments. Look at the comparative temper of this country now, and when the late Federal Convention met. We had no idea then of any particular system. The formation of the most perfect plan was our object and wish. It was imagined that the States would accede to, and be pleased with, the proposition that would be made them. Consider the violence of opinions, the prejudices and animosities which have been since imbibed.

Will not these operate greatly against mutual concessions or a friendly concurrence? This will, however, be taken up more properly another time. He says we wish to have a

strong, energetic, powerful government. We contend for a well-regulated democracy. He insinuates that the power of the government has been enlarged by the convention, and that we may apprehend it will be enlarged by others. The convention did not in fact assume any power.

They have proposed to our consideration a scheme of government which they thought advisable. We are not bound to adopt it if we disapprove of it. Had not every individual in this community a right to tender that scheme which he thought most conducive to the welfare of his country? Have not several gentlemen already demonstrated that the convention did not exceed their powers? But the Congress have the power of making bad laws, it seems. The Senate, with the President, he informs us, may make a treaty which shall be disadvantageous to us; and that, if they be not good men, it will not be a good constitution. I shall ask the worthy member only if the people at large, and they alone, ought to make laws and treaties. Has any man this in contemplation?

You cannot exercise the powers of government personally yourselves. You must trust to agents. If so, will you dispute giving them the power of acting for you, from an existing possibility that they may abuse it? As long as it is impossible for you to transact your business in person, if you repose no confidence in delegates because there is a possibility of their abusing it, you can have no government; for the power of doing good is inseparable from that of doing some evil.

We may derive from Holland lessons very beneficial to ourselves. Happy that country which can avail itself of the misfortunes of others, which can gain knowledge from that source without fatal experience! What has produced the

late disturbances in that country? The want of such a government as is on your table, and having in some measure such a one as you are about to part with. The want of proper powers in the government, the consequent deranged and relaxed administration, the violence of contending parties, and inviting foreign powers to interpose in their disputes, have subjected them to all the mischiefs which have interrupted their harmony.

I cannot express my astonishment at his high-colored eulogium on such a government. Can anything be more dissimilar than the relation between the British government and the colonies, and the relation between Congress and the States? We were not represented in Parliament. Here we are represented. Arguments which prove the impropriety of being taxed by Britain do not hold against the exercise of taxation by Congress.

Let me pay attention to the observation of the gentleman who was last up, that the power of taxation ought not to be given to Congress. This subject requires the undivided attention of this House. This power I think essentially necessary; for without it there will be no efficiency in the government. We have had a sufficient demonstration of the vanity of depending on requisitions. How, then, can the general government exist without this power? The possibility of its being abused is urged as an argument against its expediency. To very little purpose did Virginia discover the defects in the old system; to little purpose indeed did she propose improvements; and to no purpose is this plan constructed for the promotion of our happiness if we refuse it now because it is possible that it may be abused?

The confederation has nominal powers but no means to carry them into effect. If a system of government were

devised by more than human intelligence it would not be effectual if the means were not adequate to the power. All delegated powers are liable to be abused. Arguments drawn from this source go in direct opposition to the government and in recommendation of anarchy.

The friends of the constitution are as tenacious of liberty as its enemies. They wish to give no power that will endanger it. They wish to give the government powers to secure and protect it. Our inquiry here must be whether the power of taxation be necessary to perform the objects of the constitution and whether it be safe and as well guarded as human wisdom can do it. What are the objects of the national government? To protect the United States and to promote the general welfare. Protection in time of war is one of its principal objects. Until mankind shall cease to have ambition and avarice, wars will arise.

The prosperity and happiness of the people depend on the performance of these great and important duties of the general government. Can these duties be performed by one State? Can one State protect us and promote our happiness? The honorable gentleman who has gone before me, Governor Randolph, has shown that Virginia cannot do these things. How, then, can they be done? By the national government only. Shall we refuse to give it power to do them?

We are answered that the powers may be abused; that, though the Congress may promote our happiness, yet they may prostitute their powers to destroy our liberties. This goes to the destruction of all confidence in agents. Would you believe that men who had merited your highest confidence would deceive you? Would you trust them again after one deception? Why then hesitate to trust the general gov-

ernment? The object of our inquiry is, Is the power necessary and is it guarded? There must be men and money to protect us. How are armies to be raised? Must we not have money for that purpose?

But the honorable gentleman says that we need not be afraid of war. Look at history, which has been so often quoted. Look at the great volume of human nature. They will foretell you that a defenceless country cannot be secure. The nature of man forbids us to conclude that we are in no danger from war. The passions of men stimulate them to avail themselves of the weakness of others. The powers of Europe are jealous of us. It is our interest to watch their conduct and guard against them. They must be pleased with our disunion. If we invite them by our weakness to attack us will they not do it? If we add debility to our present situation a partition of America may take place.

It is, then, necessary to give the government that power, in time of peace, which the necessity of war will render indispensable, or else we shall be attacked unprepared. The experience of the world, a knowledge of human nature, and our own particular experience, will confirm this truth. When danger shall come upon us, may we not do what we were on the point of doing once already — that is, appoint a dictator? Were those who are now friends to this constitution less active in the defence of liberty on that trying occasion than those who oppose it? When foreign dangers come, may not the fear of immediate destruction by foreign enemies impel us to take a most dangerous step? Where, then, will be our safety?

We may now regulate and frame a plan that will enable us to repel attacks and render a recurrence to dangerous expedients unnecessary. If we be prepared to defend our-

selves there will be little inducement to attack us. But if we defer giving the necessary power to the general government till the moment of danger arrives we shall give it then, and with an unsparing hand. America, like other nations, may be exposed to war. The propriety of giving this power will be proved by the history of the world, and particularly of modern republics. I defy you to produce a single instance where requisitions on several individual States composing a confederacy have been honestly complied with. Did gentlemen expect to see such punctuality complied with in America? If they did, our own experience shows the contrary.

We are told that the confederation carried us through the war. Had not the enthusiasm of liberty inspired us with unanimity that system would never have carried us through it. It would have been much sooner terminated had that government been possessed of due energy. The inability of Congress and the failure of States to comply with the constitutional requisitions rendered our resistance less efficient than it might have been. The weakness of that government caused troops to be against us which ought to have been on our side, and prevented all resources of the community from being called at once into action.

The extreme readiness of the people to make their utmost exertions to ward off solely the pressing danger supplied the place of requisitions. When they came solely to be depended on their inutility was fully discovered. A bare sense of duty, or a regard to propriety, is too feeble to induce men to comply with obligations. We deceive ourselves if we expect any efficacy from these. If requisitions will not avail, the government must have the sinews of war some other way. Requisitions cannot be effectual. They will be productive of

delay and will ultimately be inefficient. By direct taxation the necessities of the government will be supplied in a peaceable manner without irritating the minds of the people.

But requisitions cannot be rendered efficient without a civil war, without great expense of money, and the blood of our citizens. Are there any other means? Yes, that Congress shall apportion the respective quotas previously, and, if not complied with by the States, that then this dreaded power shall apportion the respective quotas previously, and, if not by the gentleman who opened the debate. He cannot be answered. This great objection to that system remains unanswered. Is there no other argument which ought to have weight with us on this subject? Delay is a strong and pointed objection to it.

We are told by the gentleman who spoke last that direct taxation is unnecessary because we are not involved in war. This admits the propriety of recurring to direct taxation if we were engaged in war. It has not been proved that we have no dangers to apprehend on this point. What will be the consequence of the system proposed by the worthy gentleman? Suppose the States should refuse?

The worthy gentleman who is so pointedly opposed to the constitution proposes remonstrances. Is it a time for Congress to remonstrate or compel a compliance with requisitions when the whole wisdom of the Union and the power of Congress are opposed to a foreign enemy? Another alternative is, that, if the States shall appropriate certain funds for the use of Congress, Congress shall not lay direct taxes.

Suppose the funds appropriated by the States for the use of Congress should be inadequate; it will not be determined whether they be insufficient till after the time at which the quota ought to have been paid; and then, after so long a delay,

the means of procuring money, which ought to have been employed in the first instance, must be recurred to. May they not be amused by such ineffectual and temporizing alternatives from year to year, until America shall be enslaved?

The failure in one State will authorize a failure in another. The calculation in some States that others will fail will produce general failures. This will also be attended with all the expenses which we are anxious to avoid. What are the advantages to induce us to embrace this system? If they mean that requisitions should be complied with it will be the same as if Congress had the power of direct taxation. The same amount will be paid by the people.

It is objected that Congress will not know how to lay taxes so as to be easy and convenient for the people at large. Let us pay strict attention to this objection. If it appears to be totally without foundation the necessity of levying direct taxes will obviate what the gentleman says; nor will there be any color for refusing to grant the power.

The objects of direct taxes are well understood: they are but few; what are they? Lands, slaves, stock of all kinds, and a few other articles of domestic property. Can you believe that ten men, selected from all parts of the State, chosen because they know the situation of the people, will be unable to determine so as to make the tax equal on, and convenient for, the people at large? Does any man believe that they would lay the tax without the aid of other information besides their own knowledge, when they know that the very object for which they are elected is to lay the taxes in a judicious and convenient manner? If they wish to retain the affections of the people at large will they not inform themselves of every circumstance that can throw light on the

subject? Have they but one source of information? Besides their own experience, their knowledge of what will suit their constituents, they will have the benefit of the knowledge and experience of the State legislature. They will see in what manner the legislature of Virginia collects its taxes. Will they be unable to follow their example?

The gentlemen who shall be delegated to Congress will have every source of information that the legislatures of the States can have, and can lay the taxes as equally on the people and with as little oppression as they can.

If, then, it be admitted that they can understand how to lay them equally and conveniently, are we to admit that they will not do it, but that in violation of every principle that ought to govern men, they will lay them so as to oppress us? What benefit will they have by it? Will it be promotive of their re-election? Will it be by wantonly imposing hardships and difficulties on the people at large, that they will promote their own interest and secure their re-election? To me it appears incontrovertible that they will settle them in such a manner as to be easy for the people. Is the system so organized as to make taxation dangerous?

I shall not go to the various checks of the government, but examine whether the immediate representation of the people be well constructed. I conceive its organization to be sufficiently satisfactory to the warmest friend of freedom.

No tax can be laid without the consent of the House of Representatives. If there be no impropriety in the mode of electing the representatives can any danger be apprehended? They are elected by those who can elect representatives in the State legislature. How can the votes of the electors be influenced? By nothing but the character and conduct of the man they vote for. What object can influ-

ence them when about choosing him? They have nothing to direct them in the choice but their own good. Have you not as pointed and strong a security as you can possibly have?

It is a mode that seems an impossibility of being corrupted. If they are to be chosen for their wisdom, virtue, integrity, what inducement have they to infringe on our freedom? We are told that they may abuse their power. Are there strong motives to prompt them to abuse it? Will not such abuse militate against their own interest? Will not they and their friends feel the effects of iniquitous measures? Does the representative remain in office for life? Does he transmit his title of representative to his son? Is he secured from the burden imposed on the community?

To procure their re-election it will be necessary for them to confer with the people at large and convince them that the taxes laid are for their good. If I am able to judge on the subject, the power of taxation now before us is wisely conceded and the representatives are wisely elected.

The honorable gentleman said that a government should ever depend on the affections of the people. It must be so. It is the best support it can have. This government merits the confidence of the people, and I make no doubt will have it. Then he informed us again of the disposition of Spain with respect to the Mississippi, and the conduct of the government with regard to it. To the debility of the confederation alone may justly be imputed every cause of complaint on this subject.

Whenever gentlemen will bring forward their objections I trust we can prove that no danger to the navigation of that river can arise from the adoption of this constitution. I beg those gentlemen that may be affected by it to suspend their

judgment till they hear it discussed. Will, says he, the adoption of this constitution pay our debts? It will compel the States to pay their quotas. Without this Virginia will be unable to pay.

Unless all the States pay she cannot. Though the States will not coin money (as we are told), yet this government will bring forth and proportion all the strength of the Union. That economy and industry are essential to our happiness will be denied by no man. But the present government will not add to our industry. It takes away the incitements to industry by rendering property insecure and unprotected. It is the paper on your table that will promote and encourage industry.

New Hampshire and Rhode Island have rejected it, he tells us. New Hampshire, if my information be right, will certainly adopt it. The report spread in this country, of which I have heard, is, that the representatives of that State having, on meeting, found they were instructed to vote against it, returned to their constituents without determining the question, to convince them of their being mistaken and of the propriety of adopting it.

The extent of the country is urged as another objection, as being too great for a republican government. This objection has been handed from author to author and has been certainly misunderstood and misapplied. To what does it owe its source. To observations and criticisms on governments where representation did not exist. As to the legislative power, was it ever supposed inadequate to any extent? Extent of country may render it difficult to execute the laws, but not to legislate. Extent of country does not extend the power. What will be sufficiently energetic and operative in a small territory, will be feeble when extended over a wide

extended country. The gentleman tells us there are no checks in this plan. What has become of his enthusiastic eulogium on the American spirit? We should find a check and control, when oppressed from that source. In this country there is no exclusive personal stock of interest.

The interest of the community is blended and inseparably connected with that of the individual. When he promotes his own, he promotes that of the community. When we consult the common good, we consult our own. When he desires such checks as these he will find them abundantly here. They are the best checks. What has become of his eulogium on the Virginia constitution? Do the checks in this plan appear less excellent than those of the constitution of Virginia? If the checks in the constitution be compared to the checks in the Virginia constitution, he will find the best security in the former.

The temple of liberty was complete, said he, when the people of England said to their king that he was their servant. What are we to learn from this? Shall we embrace such a system as that? Is not liberty secure with us, where the people hold all powers in their own hands and delegate them cautiously, for short periods, to their servants, who are accountable for the smallest maladministration? Where is the nation that can boast greater security than we do? We want only a system like the paper before you, to strengthen and perpetuate this security.

The honorable gentleman has asked if there be any safety or freedom when we give away the sword and the purse. Shall the people at large hold the sword and the purse without the interposition of their representatives? Can the whole aggregate community act personally? I apprehend that every gentleman will see the impossibility of this. Must

they, then, not trust them to others? To whom are they to trust them but to their representatives, who are accountable for their conduct?

He represents secrecy as unnecessary and produces the British government as a proof of its inutility. Is there no secrecy there? When deliberating on the propriety of declaring war, or on military arrangements, do they deliberate in the open fields?

No, sir. The British government affords secrecy when necessary, and so ought every government. In this plan, secrecy is only used when it would be fatal and pernicious to publish the schemes of government. We are threatened with the loss of our liberties by the possible abuse of power, notwithstanding the maxim that those who give may take away. It is the people that give power and can take it back. What shall restrain them? They are the masters who give it, and of whom their servants hold it.

He then argues against the system because it does not resemble the British government in this — that the same power that declares war has not the means of carrying it on. Are the people of England more secure if the Commons have no voice in declaring war? or are we less secure by having the Senate joined with the President? It is an absurdity, says the worthy member, that the same man should obey two masters, that the same collector should gather taxes for the general government and the State legislature. Are they not both the servants of the people? Are not Congress and the State legislature the agents of the people, and are they not to consult the good of the people? May not this be effected by giving the same officer the collection of both taxes? He tells you that it is an absurdity to adopt before you amend. Is the object of your adoption to amend solely?

The objects of your adoption are union, safety against foreign enemies, and protection against faction — against what has been the destruction of all republics.

These impel you to its adoption. If you adopt it, what shall restrain you from amending it if in trying it amendments shall be found necessary? The government is not supported by force, but depending on our free will. When experience shall show us any inconvenience we can then correct it. But until we have experience on the subject, amendments as well as the constitution itself are to try.

Let us try it and keep our hands free to change it when necessary. If it be necessary to change government, let us change that government which has been found to be defective. The difficulty we find in amending the confederation will not be found in amending this constitution.

Any amendments in the system before you will not go to a radical change; a plain way is pointed out for the purpose. All will be interested to change it, and therefore all exert themselves in getting the change. There is such a diversity of sentiment in human minds that it is impossible we shall ever concur in one system till we try it. The power given to the general government over the time, place, and manner of election is also strongly objected to. When we come to that clause we can prove it is highly necessary and not dangerous.

The worthy member has concluded his observations by many eulogiums on the British constitution. It matters not to us whether it be a wise one or not. I think that, for America at least, the government on your table is very much superior to it. I ask you if your House of Representatives would be better than it is if a hundredth part of the people were to elect a majority of them. If your senators were for

life would they be more agreeable to you? If your President were not accountable to you for his conduct,— if it were a constitutional maxim that he could do no wrong,— would you be safer than you are now?

If you can answer, Yes, to these questions, then adopt the British constitution. If not, then, good as that government may be, this is better. The worthy gentleman who was last up said the confederacies of ancient and modern times were not similar to ours, and that consequently reasons which applied against them could not be urged against it. Do they not hold out one lesson very useful to us? However unlike in other respects they resemble it in its total inefficacy. They warn us to shun their calamities, and place in our government those necessary powers the want of which destroyed them. I hope we shall avail ourselves of their misfortunes without experiencing them. There was something peculiar in one observation he made. He said that those who governed the cantons of Switzerland were purchased by foreign powers, which was the cause of their uneasiness and trouble. How does this apply to us? If we adopt such a government as theirs will it not be subject to the same inconvenience? Will not the same cause produce the same effect? What shall protect us from it? What is our security?

He then proceeded to say, the causes of war are removed from us; that we are separated by the sea from the powers of Europe, and need not be alarmed. Sir, the sea makes them neighbors to us. Though an immense ocean divides us, we may speedily see them with us. What dangers may we not apprehend to our commerce! Does not our naval weakness invite an attack on our commerce? May not the Algerines seize our vessels? Cannot they and every other predatory or maritime nation pillage our ships and destroy our

commerce without subjecting themselves to any inconvenience?

He would, he said, give the general government all necessary powers. If anything be necessary it must be so to call forth the strength of the Union when we may be attacked or when the general purposes of America require it. The worthy gentleman then proceeded to show that our present exigencies are greater than they will ever be again.

Who can penetrate into futurity? How can any man pretend to say that our future exigencies will be less than our present? The exigencies of nations have been generally commensurate to their resources. It would be the utmost impolicy to trust to a mere possibility of not being attacked or obliged to exert the strength of the community. He then spoke of a selection of particular objects by Congress, which he says must necessarily be oppressive; that Congress, for instance, might select taxes, and that all but landholders would escape. Cannot Congress regulate the taxes so as to be equal on all parts of the community? Where is the absurdity of having thirteen revenues? Will they clash with or injure each other? If not, why cannot Congress make thirteen distinct laws and impose the taxes on the general objects of taxation in each State so as that all persons of the society shall pay equally, as they ought?

He then told you that your continental government will call forth the virtue and talents of America. This being the case will they encroach on the power of the State governments? Will our most virtuous and able citizens wantonly attempt to destroy the liberty of the people? Will the most virtuous act the most wickedly? I differ in opinion from the worthy gentleman. I think the virtue and talents of the members of the general government will tend to the security

instead of the destruction of our liberty. I think that the power of direct taxation is essential to the existence of the general government and that it is safe to grant it. If this power be not necessary, and as safe from abuse as any delegated power can possibly be, then I say that the plan before you is unnecessary; for it imports not what system we have, unless it have the power of protecting us in time of peace and war.

LEE

GENERAL HENRY LEE, an able and distinguished officer in the American revolution, was born at Leesylvania, Virginia, January 29, 1756. After his graduation from Princeton College he entered the continental army at the head of a troop commonly known as "Lee's Legion," its commander being at the same time familiarly termed "Light-Horse Harry." At the battle of Germantown, Lee's company of cavalry was selected by General Washington as his body-guard. In January, 1778, when occupying a small stone house with a body of ten men, the rest of his command being absent on a foraging expedition, the building was surrounded by two hundred of the British cavalry, who attempted to take him prisoner, but were met with so spirited a resistance that they were compelled to retreat. Soon after this he was advanced to the rank of major, with the command of three companies of cavalry. While in this position he planned and executed the celebrated attack on the British post at Paulus Hook, opposite the city of New York, their headquarters. He surprised and took the garrison under the eye of the British army and navy, and safely conducted his prisoners into the American lines, many miles distant from the post captured. There are few enterprises to be found on military record equal in hazard or difficulty, or conducted with more consummate skill and daring courage. It was, too, accomplished without loss, filled the camp of the enemy with shame and astonishment, and shed an unfading lustre on the American arms. In 1780 Lee was promoted to the rank of lieutenant-colonel commandant of a separate legionary corps, and was sent to the southern department of the United States, to join the army under General Greene, where he remained until the close of the war. He entered Congress in 1787, and was governor of Virginia 1792-95. He sat again in Congress at the time of Washington's death, in 1799, and, being appointed by Congress to deliver an oration upon the character of Washington, uttered in the course of his speech the since-famous phrase, "first in war, first in peace, and first in the hearts of his countrymen." In 1814 he was the guest, in Baltimore, of a federalist editor whose house was attacked by a mob during his visit. On this occasion Lee was so badly injured in his efforts to defend his friend's house that he never entirely recovered from the shock. He died at Cumberland Island, Georgia, November 25, 1818. In 1809 he wrote "Memoirs of the War in the Southern Departments of the United States," a third edition of which was issued with a biography written by his son, the famous leader of the Confederacy, General Robert E. Lee.

EULOGY ON WASHINGTON

[This oration was prepared and delivered at the request of the Congress of the United States, by General Lee, at Philadelphia, on the 26th of December, 1799.]

IN obedience to your will I rise, your humble organ, with the hope of executing a part of the system of public mourning which you have been pleased to adopt, commemorative of the death of the most illustrious and most beloved personage this country has ever produced; and which, while it transmits to posterity your sense of the awful event, faintly represents your knowledge of the consummate excellence you so cordially honor.

Desperate indeed is any attempt on earth to meet correspondently this dispensation of heaven; for, while with pious resignation we submit to the will of an all-gracious Providence, we can never cease lamenting, in our finite view of Omnipotent wisdom, the heart-rending privation for which our nation weeps. When the civilized world shakes to its centre; when every moment gives birth to strange and momentous changes; when our peaceful quarter of the globe, exempt as it happily has been from any share in the slaughter of the human race, may yet be compelled to abandon her pacific policy and to risk the doleful casualties of war; what limit is there to the extent of our loss? None within the reach of my words to express; none which your feelings will not disavow.

The founder of our federate republic, our bulwark in war, our guide in peace, is no more! O that this were but questionable! Hope, the comforter of the wretched, would pour into our agonizing hearts its balmy dew. But, alas! there is no hope for us; our Washington is removed forever! Possessing the stoutest frame and purest mind, he had passed nearly to his sixty-eighth year in the enjoyment of high health, when, habituated by his care of us to neglect himself, a slight cold, disregarded, became inconvenient on Friday, oppressive on Saturday, and, defying every medical interposition before the morning of Sunday, put an end to the best of men.

An end did I say? — his fame survives! bounded only by the limits of the earth and by the extent of the human mind. He survives in our hearts, in the growing knowledge of our children, in the affection of the good throughout the world: and when our monuments shall be done away; when nations now existing shall be no more; when even our young and far-spreading empire shall have perished, still will our Washington's glory unfaded shine and die not, until love of virtue cease on earth, or earth itself sinks into chaos.

How, my fellow citizens, shall I signal to your grateful hearts his pre-eminent worth? Where shall I begin in opening to your view a character throughout sublime? Shall I speak of his warlike achievements, all springing from obedience to his country's will, all directed to his country's good?

Will you go with me to the banks of the Monongahela, to see your youthful Washington supporting, in the dismal hour of Indian victory, the ill-fated Braddock, and saving, by his judgment and by his valor, the remains of a defeated army, pressed by the conquering savage foe; or, when oppressed America, nobly resolving to risk her all in defence of her violated rights, he was elevated by the unanimous voice of Congress to the command of her armies?

Will you follow him to the high grounds of Boston, where to an undisciplined, courageous, and virtuous yeomanry his presence gave the stability of system and infused the invincibility of love of country; or shall I carry you to the painful scenes of Long Island, York Island, and New Jersey, when, combatting superior and gallant armies, aided by powerful fleets, and led by chiefs high in the roll of fame, he stood, the bulwark of our safety, undismayed by disaster, unchanged by change of fortune?

Or will you view him in the precarious fields of Trenton, where deep gloom, unnerving every arm, reigned triumphant through our thinned, worn-down, unaided ranks; himself unmoved? Dreadful was the night. It was about this time of winter; the storm raged; the Delaware, rolling furiously with floating ice, forbade the approach of man. Washington, self-collected, viewed the tremendous scene; his country called; unappalled by surrounding dangers he passed to the hostile shore; he fought; he conquered. The morning sun cheered the American world. Our country rose on the event; and her dauntless chief, pursuing his blow, completed in the lawns of Princeton what his vast soul had conceived on the shores of the Delaware.

Thence to the strong grounds of Morristown he led his small but gallant band; and through an eventful winter, by the high efforts of his genius, whose matchless force was measurable only by the growth of difficulties, he held in check formidable hostile legions, conducted by a chief experienced in the art of war and famed for his valor on the ever-memorable heights of Abraham, where fell Wolfe, Montcalm, and since, our much-lamented Montgomery, all covered with glory. In this fortunate interval, produced by his masterly conduct, our fathers, ourselves, animated by his resistless example, rallied around our country's standard and continued to follow her beloved chief through the various and trying scenes to which the destinies of our Union led.

Who is there that has forgotten the vales of Brandywine, the fields of Germantown, or the plains of Monmouth? Everywhere present, wants of every kind obstructing, numerous and valiant armies encountering, himself a host, he assuaged our sufferings, limited our privations, and upheld our tottering republic. Shall I display to you the spread of the fire of his

soul by rehearsing the praises of the hero of Saratoga and his much loved compeer of the Carolinas? No; our Washington wears not borrowed glory. To Gates, to Greene, he gave without reserve the applause due to their eminent merit; and long may the chiefs of Saratoga and of Eutaw receive the grateful respect of a grateful people.

Moving in his own orbit he imparted heat and light to his most distant satellites; and, combining the physical and moral force of all within his sphere, with irresistible weight he took his course, commiserating folly, disdaining vice, dismaying treason, and invigorating despondency; until the auspicious hour arrived when, united with the intrepid forces of a potent and magnanimous ally, he brought to submission the since conqueror of India; thus finishing his long career of military glory with a lustre corresponding to his great name, and in this, his last act of war, affixing the seal of fate to our nation's birth.

To the horrid din of battle sweet peace succeeded; and our virtuous chief, mindful only of the common good, in a moment of tempting personal aggrandizement hushed the discontents of growing sedition, and, surrendering his power into the hands from which he had received it, converted his sword into a plowshare, teaching an admiring world that to be truly great you must be truly good.

Were I to stop here the picture would be incomplete and the task imposed unfinished. Great as was our Washington in war, and as much as did that greatness contribute to produce the American republic, it is not in war alone his pre-eminence stands conspicuous. His various talents, combining all the capacities of a statesman with those of a soldier, fitted him alike to guide the councils and the armies of our nation. Scarcely had he rested from his martial toils, while his invaluable parental advice was still sounding in our ears, when he

who had been our shield and our sword was called forth to act a less splendid but more important part.

Possessing a clear and penetrating mind, a strong and sound judgment, calmness and temper for deliberation, with invincible firmness and perseverance in resolutions maturely formed; drawing information from all; acting from himself with incorruptible integrity and unvarying patriotism; his own superiority and the public confidence alike marked him as the man designed by heaven to lead in the great political as well as military events which have distinguished the era of his life.

The finger of an overruling Providence pointing at Washington was neither mistaken nor unobserved; when, to realize the vast hopes to which our Revolution had given birth, a change of political system became indispensable.

How novel, how grand the spectacle! Independent States, stretched over an immense territory, and known only by common difficulty, clinging to their union as the rock of their safety, deciding by frank comparison of their relative condition to rear on that rock, under the guidance of reason, a common government through whose commanding protection, liberty and order, with their long train of blessings, should be safe to themselves and the sure inheritance of their posterity.

This arduous task devolved on citizens selected by the people from knowledge of their wisdom and confidence in their virtue. In this august assembly of sages and of patriots Washington, of course, was found; and, as if acknowledged to be the most wise where all were wise, with one voice he was declared their chief. How well he merited this rare distinction, how faithful were the labors of himself and his compatriots, the work of their hands, and our union, strength, and prosperity, the fruits of that work, best attest.

But to have essentially aided in presenting to his country

this consummation of her hopes neither satisfied the claims of his fellow citizens on his talents, nor those duties which the possession of those talents imposed. Heaven had not infused into his mind such an uncommon share of its ethereal spirit to remain unemployed; nor bestowed on him his genius unaccompanied with the corresponding duty of devoting it to the common good. To have framed a constitution was showing only, without realizing, the general happiness.

This great work remained to be done; and America, steadfast in her preference, with one voice summoned her beloved Washington, unpractised as he was in the duties of civil administration, to execute this last act in the completion of the national felicity. Obedient to her call, he assumed the high office with that self-distrust peculiar to his innate modesty, the constant attendant of pre-eminent virtue. What was the burst of joy through our anxious land on this exhilarating event is known to us all. The aged, the young, the brave, the fair, rivalled each other in demonstrations of their gratitude; and this high-wrought, delightful scene was heightened in its effect by the singular contest between the zeal of the bestowers and the avoidance of the receiver of the honors bestowed.

Commencing his administration, what heart is not charmed with the recollection of the pure and wise principles announced by himself as the basis of his political life! He best understood the indissoluble union between virtue and happiness, between duty and advantage, between the genuine maxims of an honest and magnanimous policy and the solid rewards of public prosperity and individual felicity; watching with an equal and comprehensive eye over this great assemblage of communities and interests, he laid the foundations of our national policy in the unerring, immutable principles of morality based on religion, exemplifying the pre-eminence of a

free government by all the attributes which win the affections of its citizens or command the respect of the world.

"O fortunatos nimium, sua si bona norint!"[1]

Leading through the complicated difficulties produced by previous obligations and conflicting interests, seconded by succeeding Houses of Congress, enlightened and patriotic, he surmounted all original obstruction and brightened the path of our national felicity.

The presidential term expiring, his solicitude to exchange exaltation for humility returned with a force increased with increase of age; and he had prepared his farewell address to his countrymen, proclaiming his intention, when the united interposition of all around him, enforced by the eventful prospects of the epoch, produced a further sacrifice of inclination to duty. The election of President followed, and Washington, by the unanimous vote of the nation, was called to resume the chief magistracy. What a wonderful fixture of confidence! Which attracts most our admiration, a people so correct, or a citizen combining an assemblage of talents forbidding rivalry and stifling even envy itself? Such a nation ought to be happy, such a chief must be forever revered.

War, long menaced by the Indian tribes, now broke out; and the terrible conflict, deluging Europe with blood, began to shed its baneful influence over our happy land. To the first outstretching his invincible arm, under the order of the gallant Wayne, the American eagle soared triumphant through distant forests. Peace followed victory; and the melioration of the condition of the enemy followed peace. Godlike virtue, which uplifts even the subdued savage!

To the second he opposed himself. New and delicate was

[1] "O too fortunate if they recognise the good things they have."

the conjuncture and great was the stake. Soon did his penetrating mind discern and seize the only course, continuing to use all the felicity enjoyed. He issued his proclamation of neutrality. This index to his whole subsequent conduct was sanctioned by the approbation of both Houses of Congress and by the approving voice of the people.

To this sublime policy he inviolably adhered, unmoved by foreign intrusion, unshaken by domestic turbulence.

> "Justum et tenacem propositi virum,
> Non civium ardor prava jubentium,
> Non vultus instantis tyranni,
> Mente quatit solida."[1]

Maintaining his pacific system at the expense of no duty, America, faithful to herself and unstained in her honor, continued to enjoy the delights of peace, while afflicted Europe mourns in every quarter under the accumulated miseries of an unexampled war; miseries in which our happy country must have shared had not our pre-eminent Washington been as firm in council as he was brave in the field.

Pursuing steadfastly his course, he held safe the public happiness, preventing foreign war and quelling internal discord, till the revolving period of a third election approached, when he executed his interrupted but inextinguishable desire of returning to the humble walks of private life.

The promulgation of his fixed resolution stopped the anxious wishes of an affectionate people from adding a third unanimous testimonial of their unabated confidence in the man so long enthroned in their hearts. When before was affection like this exhibited on earth? Turn over the records of ancient Greece; review the annals of mighty Rome; exam-

[1] The just man, tenacious of his purpose, is not shaken in his well-formed convictions by the ill-timed zeal of aggressive citizens or by the angry face of the tyrant.

ine the volumes of modern Europe; you search in vain. America and her Washington only afford the dignified exemplification.

The illustrious personage called by the national voice in succession to the arduous office of guiding a free people had new difficulties to encounter. The amicable effort of settling our difficulties with France, begun by Washington and pursued by his successor in virtue as in station, proving abortive, America took measures of self-defence. No sooner was the public mind roused by the prospect of danger than every eye was turned to the friend of all, though secluded from public view and gray in public service. The virtuous veteran, following his plough, received the unexpected summons with mingled emotions of indignation at the unmerited ill-treatment of his country and of a determination once more to risk his all in her defence.

The annunciation of these feelings in his affecting letter to the President, accepting the command of the army, concludes his official conduct.

First in war, first in peace, and first in the hearts of his countrymen, he was second to none in the humble and endearing scenes of private life. Pious, just, humane, temperate, and sincere; uniform, dignified, and commanding, his example was as edifying to all around him as were the effects of that example lasting.

To his equals he was condescending; to his inferiors kind; and to the dear object of his affections exemplarily tender. Correct throughout, vice shuddered in his presence and virtue always felt his fostering hand; the purity of his private character gave effulgence to his public virtues.

His last scene comported with the whole tenor of his life: although in extreme pain, not a sigh, not a groan escaped him;

and with undisturbed serenity he closed his well-spent life. Such was the man America has lost! Such was the man for whom our nation mourns!

Methinks I see his august image and hear, falling from his venerable lips, these deep sinking words:

"Cease, sons of America, lamenting our separation: go on, and confirm by your wisdom the fruits of our joint counsels, joint efforts, and common dangers. Reverence religion; diffuse knowledge throughout your land; patronize the arts and sciences; let liberty and order be inseparable companions; control party spirit, the bane of free government; observe good faith to, and cultivate peace with, all nations; shut up every avenue to foreign influence; contract rather than extend national connection; rely on yourselves only; be American in thought and deed. Thus will you give immortality to that Union which was the constant object of my terrestrial labors. Thus will you preserve, undisturbed to the latest posterity, the felicity of a people to me most dear: and thus will you supply (if my happiness is now aught to you) the only vacancy in the round of pure bliss high heaven bestows."

HAMILTON

IN AMERICAN annals there have been four statesmen, none of whom ever became President, yet each of whom is generally acknowledged to have been a greater man than most of those who attained to the Chief Magistracy. The four whom we have in mind were Benjamin Franklin, Alexander Hamilton, Daniel Webster, and John C. Calhoun. The second of these, Alexander Hamilton, was born on the island of Nevis, one of the British Antilles, in 1757. While still a child, he was taken by some of his mother's relatives to the island of St. Croix, and when, in his thirteenth year, he entered the counting-house of Nicholas Kruger in that port, he had received all the benefit that the insular schools were able to impart. Henceforth he was self-educated, until in October, 1772, he left the West Indies for New York. After spending a year at the Grammar School of Elizabethtown, New Jersey, he entered King's (now Columbia) College, in 1774, and, while still a collegian, became the captain of the first company of artillery employed in the Continental service. At the head of his artillerists he took part in the battle of Long Island and in subsequent engagements at Harlem Plains, New Brunswick, Trenton and Princeton. When the Continental Army went into winter quarters at Morristown, in January, 1777, Hamilton became Washington's private secretary, and was raised to the rank of Lieutenant-Colonel. In 1780 he married a daughter of General Philip Schuyler, a distinguished soldier and statesman of the Revolution. He was present with a command at the surrender of Lord Cornwallis. In a series of papers he had exposed the inherent defects of the existing Confederation, and it is now generally acknowledged that the first suggestion toward the establishment of an adequate Federal Government came from him. Although the particular plan proposed by Hamilton in the Federal Convention, which met at Philadephia in 1787, was laid aside, yet it was the spirit of the system conceived by him which then and there prevailed, and has since been a controlling principle in the administration of the Federal Government. Guizot has said of him that "there is not in the Constitution of the United States an element of order, of force and of duration, which he did not powerfully contribute to inject into it and cause to predominate." While it was still uncertain whether the Constitution would be adopted by the several State Conventions, Hamilton, in conjunction with James Madison and John Jay, wrote "The Federalist," to recommend the proposed national organic law as the best obtainable under the circumstances.

It was mainly Hamilton who, at the New York State Convention, called for the purpose of ratifying the Federal Constitution, transformed a disheartened minority into a triumphant majority. When Washington formed his first Cabinet, he invited Hamilton to become Secretary of the Treasury, and it was the latter who accomplished the payment of the Federal and State debts. Although offered the position of Chief-Justice of the Supreme Court of the United States, Hamilton preferred to remain at the New York bar, and, after his resignation of the office of Secretary of the Treasury, he became the unrivalled chief of his profession in his adopted State. He deemed it a patriotic duty to oppose the re-election of John Adams to the Presidency, and afterward to defeat the personal ambition of Aaron Burr, who, having received in 1800 a number of electoral votes equal to those cast for Thomas Jefferson, tried to become President of the United States. His relentless opposition to the Burr family finally brought about a duel, which took place on July 11, 1804, and in which he was mortally wounded. He died on the following day in the forty-seventh year of his age.

ON THE EXPEDIENCY OF ADOPTING THE FEDERAL CONSTITUTION

CONVENTION OF NEW YORK, JUNE 24, 1788

I AM persuaded, Mr. Chairman, that I in my turn shall be indulged, in addressing the committee. We all, in equal sincerity, profess to be anxious for the establishment of a republican government, on a safe and solid basis. It is the object of the wishes of every honest man in the United States, and I presume that I shall not be disbelieved, when I declare, that it is an object of all others the nearest and most dear to my own heart. The means of accomplishing this great purpose become the most important study which can interest mankind. It is our duty to examine all those means with peculiar attention, and to choose the best and most effectual. It is our duty to draw from nature, from reason, from examples, the best principles of policy, and to pursue and apply them in the formation of our government. We should contemplate and compare the

systems, which, in this examination, come under our view; distinguish, with a careful eye, the defects and excellencies of each, and, discarding the former, incorporate the latter, as far as circumstances will admit, into our Constitution. If we pursue a different course and neglect this duty, we shall probably disappoint the expectations of our country and of the world.

In the commencement of a revolution, which received its birth from the usurpations of tyranny, nothing was more natural than that the public mind should be influenced by an extreme spirit of jealousy. To resist these encroachments, and to nourish this spirit, was the great object of all our public and private institutions. The zeal for liberty became predominant and excessive. In forming our Confederation, this passion alone seemed to actuate us, and we appear to have had no other view than to secure ourselves from despotism. The object certainly was a valuable one, and deserved our utmost attention. But, sir, there is another object equally important, and which our enthusiasm rendered us little capable of regarding: I mean a principle of strength and stability in the organization of our government, and vigor in its operations. This purpose can never be accomplished but by the establishment of some select body, formed peculiarly upon this principle. There are few positions more demonstrable than that there should be in every republic some permanent body to correct the prejudices, check the intemperate passions, and regulate the fluctuations of a popular assembly. It is evident that a body instituted for these purposes must be so formed as to exclude as much as possible from its own character those infirmities and that mutability which it is designed to remedy. It is therefore necessary that it should be

small, that it should hold its authority during a considerable period, and that it should have such an independence in the exercise of its powers as will divest it as much as possible of local prejudices. It should be so formed as to be the centre of political knowledge, to pursue always a steady line of conduct, and to reduce every irregular propensity to system. Without this establishment, we may make experiments without end, but shall never have an efficient government.

It is an unquestionable truth, that the body of the people in every country desire sincerely its prosperity; but it is equally unquestionable, that they do not possess the discernment and stability necessary for systematic government. To deny that they are frequently led into the grossest errors by misinformation and passion, would be a flattery which their own good sense must despise. That branch of administration especially, which involves our political relations with foreign States, a community will ever be incompetent to. These truths are not often held up in public assemblies, but they cannot be unknown to any who hear me. From these principles it follows, that there ought to be two distinct bodies in our government: one, which shall be immediately constituted by and peculiarly represent the people, and possess all the popular features; another, formed upon the principle and for the purposes before explained. Such considerations as these induced the Convention who formed your State Constitution, to institute a Senate upon the present plan. The history of ancient and modern republics had taught them, that many of the evils which these republics had suffered, arose from the want of a certain balance and mutual control indispensable to a wise administration; they were convinced that

popular assemblies are frequently misguided by ignorance, by sudden impulses, and the intrigues of ambitious men; and that some firm barrier against these operations was necessary; they, therefore, instituted your Senate, and the benefits we have experienced have fully justified their conceptions. . . .

Gentlemen, in their reasoning, have placed the interests of the several States and those of the United States in con-
7 trast; this is not a fair view of the subject; they must necessarily be involved in each other. What we apprehend is, that some sinister prejudice, or some prevailing passion, may assume the form of a genuine interest. The influence of these is as powerful as the most permanent conviction of the public good; and against this influence we ought to provide. The local interests of a State ought in every case to give way to the interests of the Union; for when a sacrifice of one or the other is necessary, the former becomes only an apparent, partial interest, and should yield, on the principle that the small good ought never to oppose the great one. When you assemble from your several counties in the Legislature, were every member to be guided only by the apparent interests of his county, government would be impracticable. There must be a perpetual accommodation and sacrifice of local advantages to general expediency; but the spirit of a mere popular assembly would rarely be actuated by this important principle. It is therefore absolutely necessary that the Senate should be so formed, as to be unbiased by false conceptions of the real interests, or undue attachment to the apparent good of their several States.

Gentlemen indulge too many unreasonable apprehensions of danger to the State governments; they seem to suppose

that the moment you put men into a national council, they become corrupt and tyrannical, and lose all their affection for their fellow-citizens. But can we imagine that the Senators will ever be so insensible of their own advantage, as to sacrifice the genuine interest of their constituents? The State governments are essentially necessary to the form and spirit of the general system. As long, therefore, as Congress has a full conviction of this necessity, they must, even upon principles purely national, have as firm an attachment to the one as to the other. This conviction can never leave them, unless they become madmen. While the Constitution continues to be read, and its principle known, the States must, by every rational man, be considered as essential, component parts of the Union; and therefore the idea of sacrificing the former to the latter is wholly inadmissible.

The objectors do not advert to the natural strength and resources of State governments, which will ever give them an important superiority over the general government. If we compare the nature of their different powers, or the means of popular influence which each possesses, we shall find the advantage entirely on the side of the States. This consideration, important as it is, seems to have been little attended to. The aggregate number of Representatives throughout the States may be two thousand. Their personal influence will, therefore, be proportionably more extensive than that of one or two hundred men in Congress. The State establishments of civil and military officers of every description, infinitely surpassing in number any possible correspondent establishments in the general government, will create such an extent and complication of attachments, as will ever secure the predilection and support of

the people. Whenever, therefore, Congress shall meditate any infringement of the State Constitutions, the great body of the people will naturally take part with their domestic representatives. Can the general government withstand such a united opposition? Will the people suffer themselves to be stripped of their privileges? Will they suffer their Legislatures to be reduced to a shadow and a name? The idea is shocking to common-sense.

From the circumstances already explained, and many others which might be mentioned, results a complicated, irresistible check, which must ever support the existence and importance of the State governments. The danger, if any exists, flows from an opposite source. The probable evil is, that the general government will be too dependent on the State Legislatures, too much governed by their prejudices, and too obsequious to their humors; that the States, with every power in their hands, will make encroachments on the national authority, till the Union is weakened and dissolved.

Every member must have been struck with an observation of a gentleman from Albany. Do what you will, says he, local prejudices and opinions will go into the government. What! shall we then form a Constitution to cherish and strengthen these prejudices? Shall we confirm the distemper, instead of remedying it. It is undeniable that there must be a control somewhere. Either the general interest is to control the particular interests, or the contrary. If the former, then certainly the government ought to be so framed, as to render the power of control efficient to all intents and purposes; if the latter, a striking absurdity follows; the controlling powers must be as numerous as the varying interests, and the operations of the government

must therefore cease; for the moment you accommodate these different interests, which is the only way to set the government in motion, you establish a controlling power. Thus, whatever constitutional provisions are made to the contrary, every government will be at last driven to the necessity of subjecting the partial to the universal interest. The gentlemen ought always, in their reasoning, to distinguish between the real, genuine good of a State, and the opinions and prejudices which may prevail respecting it; the latter may be opposed to the general good, and consequently ought to be sacrificed; the former is so involved in it that it never can be sacrificed.

There are certain social principles in human nature from which we may draw the most solid conclusions with respect to the conduct of individuals and of communities. We love our families more than our neighbors; we love our neighbors more than our countrymen in general. The human affections, like the solar heat, lose their intensity as they depart from the centre, and become languid in proportion to the expansion of the circle on which they act. On these principles, the attachment of the individual will be first and forever secured by the State governments; they will be a mutual protection and support. Another source of influence, which has already been pointed out, is the various official connections in the States. Gentlemen endeavor to evade the force of this by saying that these offices will be insignificant. This is by no means true. The State officers will ever be important, because they are necessary and useful. Their powers are such as are extremely interesting to the people; such as affect their property, their liberty, and life. What is more important than the administration of justice and the execution of the civil and criminal laws?

Can the State governments become insignificant while they have the power of raising money independently and without control? If they are really useful; if they are calculated to promote the essential interests of the people; they must have their confidence and support. The States can never lose their powers till the whole people of America are robbed of their liberties. These must go together; they must support each other, or meet one common fate. On the gentleman's principle, we may safely trust the State governments, though we have no means of resisting them; but we cannot confide in the national government, though we have an effectual constitutional guard against every encroachment. This is the essence of their argument, and it is false and fallacious beyond conception.

With regard to the jurisdiction of the two governments, I shall certainly admit that the Constitution ought to be so formed as not to prevent the States from providing for their own existence; and I maintain that it is so formed; and that their power of providing for themselves is sufficiently established. This is conceded by one gentleman, and in the next breath the concession is retracted. He says Congress has but one exclusive right in taxation—that of duties on imports; certainly, then, their other powers are only concurrent. But to take off the force of this obvious conclusion, he immediately says that the laws of the United States are supreme and that where there is one supreme there cannot be a concurrent authority; and further, that where the laws of the Union are supreme, those of the States must be subordinate; because there cannot be two supremes. This is curious sophistry. That two supreme powers cannot act together is false. They are inconsistent only when they are aimed at each other or at one indivisible object. The

laws of the United States are supreme, as to all their proper, constitutional objects; the laws of the States are supreme in the same way. These supreme laws may act on different objects without clashing; or they may operate on different parts of the same common object with perfect harmony. Suppose both governments should lay a tax of a penny on a certain article; has not each an independent and uncontrollable power to collect its own tax? The meaning of the maxim, there cannot be two supremes, is simply this—two powers cannot be supreme over each other. This meaning is entirely perverted by the gentlemen. But, it is said, disputes between collectors are to be referred to the Federal courts. This is again wandering in the field of conjecture. But suppose the fact is certain; is it not to be presumed that they will express the true meaning of the Constitution and the laws? Will they not be bound to consider the concurrent jurisdiction; to declare that both the taxes shall have equal operation; that both the powers, in that respect, are sovereign and co-extensive? If they transgress their duty, we are to hope that they will be punished. Sir, we can reason from probabilities alone. When we leave common-sense, and give ourselves up to conjecture, there can be no certainty, no security in our reasonings.

I imagine I have stated to the committee abundant reasons to prove the entire safety of the State governments and of the people. I would go into a more minute consideration of the nature of the concurrent jurisdiction, and the operation of the laws in relation to revenue; but at present I feel too much indisposed to proceed. I shall, with leave of the committee, improve another opportunity of expressing to them more fully my ideas on this point. I wish the committee to remember that the Constitution under

examination is framed upon truly republican principles; and that, as it is expressly designed to provide for the common protection and the general welfare of the United States, it must be utterly repugnant to this Constitution to subvert the State governments or oppress the people.

AMES

FISHER AMES was born in Dedham, Massachusetts, on the 9th of April, 1758. He graduated from Harvard College at the age of seventeen in 1774. After practicing law for a time, he abandoned that profession for the pursuit of politics, and in 1788 became a member of the Massachusetts Convention called to ratify the Federal Constitution. In the proceedings of that body he took a conspicuous part, and in the following year, having passed to the popular branch of the State Legislature, he rapidly acquired distinction for readiness and effectiveness in debate. During the eight years of Washington's administration, he was a conspicuous figure in the national councils, and upon Washington's retirement, he returned to his home at Dedham to resume the practice of the law. He now published numerous essays, chiefly in relation to the contest between Great Britain and revolutionary France, pointing out how it might affect the liberty and prosperity of the United States. Four years before his death, which occurred on July 4, 1808, he was chosen President of Harvard College, an honor which his infirm state of health obliged him to decline.

ON THE BRITISH TREATY

HOUSE OF REPRESENTATIVES, APRIL 28, 1796

IT WOULD be strange that a subject, which has aroused in turn all the passions of the country, should be discussed without the interference of any of our own. We are men, and therefore not exempt from those passions; as citizens and Representatives, we feel the interests that must excite them. The hazard of great interests cannot fail to agitate strong passions. We are not disinterested; it is impossible we should be dispassionate. The warmth of such feelings may becloud the judgment, and, for a time, pervert the understanding. But the public sen-

sibility, and our own, has sharpened the spirit of inquiry, and given an animation to the debate. The public attention has been quickened to mark the progress of the discussion, and its judgment, often hasty and erroneous on first impressions, has become solid and enlightened at last. Our result will, I hope, on that account, be safer and more mature, as well as more accordant with that of the nation. The only constant agents in political affairs are the passions of men. Shall we complain of our nature—shall we say that man ought to have been made otherwise? It is right already, because He, from whom we derive our nature, ordained it so; and because thus made and thus acting, the cause of truth and the public good is more surely promoted. . . .

The treaty is bad, fatally bad, is the cry. It sacrifices the interest, the honor, the independence of the United States, and the faith of our engagements to France. If we listen to the clamor of party intemperance, the evils are of a number not to be counted, and of a nature not to be borne, even in idea. The language of passion and exaggeration may silence that of sober reason in other places, it has not done it here. The question here is, whether the treaty be really so very fatal as to oblige the nation to break its faith. I admit that such a treaty ought not to be executed. I admit that self-preservation is the first law of society, as well as of individuals. It would, perhaps, be deemed an abuse of terms to call that a treaty which violates such a principle. I waive also, for the present, any inquiry, what departments shall represent the nation, and annul the stipulations of a treaty. I content myself with pursuing the inquiry, whether the nature of this compact be such as to justify our refusal to carry it into effect. A

treaty is the promise of a nation. Now, promises do not always bind him that makes them. But I lay down two rules, which ought to guide us in this case. The treaty must appear to be bad, not merely in the petty details, but in its character, principle, and mass. And in the next place, this ought to be ascertained by the decided and general concurrence of the enlightened public.

I confess there seems to be something very like ridicule thrown over the debate by the discussion of the articles in detail. The undecided point is, shall we break our faith? And while our country and enlightened Europe await the issue with more than curiosity, we are employed to gather piecemeal, and article by article, from the instrument, a justification for the deed by trivial calculations of commercial profit and loss. This is little worthy of the subject, of this body, or of the nation. If the treaty is bad, it will appear to be so in its mass. Evil to a fatal extreme, if that be its tendency, requires no proof; it brings it. Extremes speak for themselves and make their own law. What if the direct voyage of American ships to Jamaica with horses or lumber might net one or two *per centum* more than the present trade to Surinam; would the proof of the fact avail anything in so grave a question as the violation of the public engagements? . . .

Why do they complain that the West Indies are not laid open? Why do they lament that any restriction is stipulated on the commerce of the East Indies? Why do they pretend that if they reject this, and insist upon more, more will be accomplished? Let us be explicit—more would not satisfy. If all was granted, would not a treaty of amity with Great Britain still be obnoxious? Have we not this instant heard it urged against our envoy that he was not ardent

enough in his hatred of Great Britain? A treaty of amity is condemned because it was not made by a foe, and in the spirit of one. The same gentleman, at the same instant, repeats a very prevailing objection, that no treaty should be made with the enemy of France. No treaty, exclaim others, should be made with a monarch or a despot; there will be no naval security while those sea-robbers domineer on the ocean; their den must be destroyed; that nation must be extirpated.

I like this, sir, because it is sincerity. With feelings such as these we do not pant for treaties. Such passions seek nothing, and will be content with nothing, but the destruction of their object. If a treaty left King George his island, it would not answer; not if he stipulated to pay rent for it. It has been said, the world ought to rejoice if Britain was sunk in the sea; if where there are now men and wealth and laws and liberty, there was no more than a sand bank for sea monsters to fatten on; a space for the storms of the ocean to mingle in conflict. . . .

What is patriotism? Is it a narrow affection for the spot where a man was born? Are the very clods where we tread entitled to this ardent preference because they are greener? No, sir, this is not the character of the virtue, and it soars higher for its object. It is an extended self-love, mingling with all the enjoyments of life, and twisting itself with the minutest filaments of the heart. It is thus we obey the laws of society, because they are the laws of virtue. In their authority we see, not the array of force and terror, but the venerable image of our country's honor. Every good citizen makes that honor his own, and cherishes it not only as precious, but as sacred. He is willing to risk his life in its defence, and is conscious that he

gains protection while he gives it. For, what rights of a citizen will be deemed inviolable when a State renounces the principles that constitute their security? Or if his life should not be invaded, what would its enjoyments be in a country odious in the eyes of strangers and dishonored in his own? Could he look with affection and veneration to such a country as his parent? The sense of having one would die within him; he would blush for his patriotism, if he retained any, and justly, for it would be a vice. He would be a banished man in his native land. I see no exception to the respect that is paid among nations to the law of good faith. If there are cases in this enlightened period when it is violated, there are none when it is decried. It is the philosophy of politics, the religion of governments. It is observed by barbarians—a whiff of tobacco smoke, or a string of beads, gives not merely binding force but sanctity to treaties. Even in Algiers a truce may be bought for money, but when ratified even Algiers is too wise, or too just, to disown and annul its obligation. Thus we see, neither the ignorance of savages, nor the principles of an association for piracy and rapine, permit a nation to despise its engagements. If, sir, there could be a resurrection from the foot of the gallows, if the victims of justice could live again, collect together and form a society, they would, however loth, soon find themselves obliged to make justice, that justice under which they fell, the fundamental law of their State. They would perceive it was their interest to make others respect, and they would therefore soon pay some respect themselves to the obligations of good faith.

It is painful, I hope it is superfluous, to make even the supposition, that America should furnish the occasion of this opprobrium. No, let me not even imagine, that a

republican government, sprung, as our own is, from a people enlightened and uncorrupted, a government whose origin is right, and whose daily discipline is duty, can, upon solemn debate, make its option to be faithless—can dare to act what despots dare not avow, what our own example evinces, the States of Barbary are unsuspected of. No, let me rather make the supposition, that Great Britain refuses to execute the treaty, after we have done everything to carry it into effect. Is there any language of reproach pungent enough to express your commentary on the fact? What would you say, or rather what would you not say? Would you not tell them, wherever an Englishman might travel, shame would stick to him—he would disown his country. You would exclaim, England, proud of your wealth, and arrogant in the possession of power—blush for these distinctions, which become the vehicles of your dishonor. Such a nation might truly say to corruption, thou art my father, and to the worm, thou art my mother and my sister. We should say of such a race of men, their name is a heavier burden than their debt. . . .

The refusal of the posts (inevitable if we reject the treaty) is a measure too decisive in its nature to be neutral in its consequences. From great causes we are to look for great effects. A plain and obvious one will be, the price of the Western lands will fall. Settlers will not choose to fix their habitation on a field of battle. Those who talk so much of the interest of the United States, should calculate how deeply it will be affected by rejecting the treaty; how vast a tract of wild land will almost cease to be property. This loss, let it be observed, will fall upon a fund expressly devoted to sink the national

debt. What, then, are we called upon to do? However the form of the vote and the protestations of many may disguise the proceeding, our resolution is in substance and it deserves to wear the title of a resolution to prevent the sale of the Western lands and the discharge of the public debt.

Will the tendency to Indian hostilities be contested by any one? Experience gives the answer. The frontiers were scourged with war till the negotiation with Great Britain was far advanced, and then the state of hostility ceased. Perhaps the public agents of both nations are innocent of fomenting the Indian war, and perhaps they are not. We ought not, however, to expect that neighboring nations, highly irritated against each other, will neglect the friendship of the savages; the traders will gain an influence and will abuse it; and who is ignorant that their passions are easily raised, and hardly restrained from violence? Their situation will oblige them to choose between this country and Great Britain, in case the treaty should be rejected. They will not be our friends and at the same time the friends of our enemies.

But am I reduced to the necessity of proving this point? Certainly the very men who charged the Indian war on the detention of the posts, will call for no other proof than the recital of their own speeches. It is remembered with what emphasis, with what acrimony, they expatiated on the burden of taxes, and the drain of blood and treasure into the Western country, in consequence of Britain's holding the posts. Until the posts are restored, they exclaimed, the treasury and the frontiers must bleed.

If any, against all these proofs, should maintain that the peace with the Indians will be stable without the

posts, to them I urge another reply. From arguments calculated to produce conviction, I will appeal directly to the hearts of those who hear me, and ask, whether it is not already planted there? I resort especially to the convictions of the Western gentlemen, whether, supposing no posts and no treaty, the settlers will remain in security? Can they take it upon them to say, that an Indian peace, under these circumstances, will prove firm? No, sir, it will not be peace, but a sword; it will be no better than a lure to draw victims within the reach of the tomahawk.

On this theme my emotions are unutterable. If I could find words for them, if my powers bore any proportion to my zeal, I would swell my voice to such a note of remonstrance, it should reach every log-house beyond the mountains. I would say to the inhabitants, wake from your false security; your cruel dangers, your more cruel apprehensions are soon to be renewed; the wounds, yet unhealed, are to be torn open again; in the daytime your path through the woods will be ambushed; the darkness of midnight will glitter with the blaze of your dwellings. You are a father—the blood of your sons shall fatten your cornfield; you are a mother—the war-whoop shall wake the sleep of the cradle.

On this subject you need not suspect any deception on your feelings. It is a spectacle of horror, which cannot be overdrawn. If you have nature in your hearts, it will speak a language compared with which all I have said or can say will be poor and frigid.

Will it be whispered that the treaty has made me a new champion for the protection of the frontiers? It is known that my voice as well as vote have been uniformly given in

conformity with the ideas I have expressed. Protection is the right of the frontiers; it is our duty to give it.

Who will accuse me of wandering out of the subject? Who will say that I exaggerate the tendencies of our measures? Will any one answer by a sneer, that all this is idle preaching? Will any one deny, that we are bound, and I would hope to good purpose, by the most solemn sanctions of duty for the vote we give? Are despots alone to be reproached for unfeeling indifference to the tears and blood of their subjects? Have the principles on which you ground the reproach upon cabinets and kings no practical influence, no binding force? Are they merely themes of idle declamation introduced to decorate the morality of a newspaper essay, or to furnish petty topics of harangue from the windows of that State House? I trust it is neither too presumptuous nor too late to ask. Can you put the dearest interest of society at risk without guilt and without remorse?

It is vain to offer as an excuse, that public men are not to be reproached for the evils that may happen to ensue from their measures. This is very true where they are unforeseen or inevitable. Those I have depicted are not unforeseen; they are so far from inevitable, we are going to bring them into being by our vote. We choose the consequences, and become as justly answerable for them as for the measures that we know will produce them.

By rejecting the posts we light the savage fires—we bind the victims. This day we undertake to render account to the widows and orphans whom our decision will make, to the wretches that will be roasted at the stake, to our country, and I do not deem it too serious to say, to conscience and to God. We are answerable, and if duty be

anything more than a word of imposture, if conscience be not a bugbear, we are preparing to make ourselves as wretched as our country.

There is no mistake in this case—there can be none. Experience has already been the prophet of events, and the cries of future victims have already reached us. The Western inhabitants are not a silent and uncomplaining sacrifice. The voice of humanity issues from the shade of their wilderness. It exclaims that, while one hand is held up to reject this treaty, the other grasps a tomahawk. It summons our imagination to the scenes that will open. It is no great effort of the imagination to conceive that events so near are already begun. I can fancy that I listen to the yells of savage vengeance, and the shrieks of torture. Already they seem to sigh in the west wind—already they mingle with every echo from the mountains.

It is not the part of prudence to be inattentive to the tendencies of measures. Where there is any ground to fear that these will prove pernicious, wisdom and duty forbid that we should underrate them. If we reject the treaty, will our peace be as safe as if we executed it with good faith? I do honor to the intrepid spirits of those who say it will. It was formerly understood to constitute the excellence of a man's faith to believe without evidence and against it.

But, as opinions on this article are changed, and we are called to act for our country, it becomes us to explore the dangers that will attend its peace, and to avoid them if we can. . . .

Is there anything in the prospect of the interior state of the country to encourage us to aggravate the dangers of a war? Would not the shock of that evil produce another,

and shake down the feeble and then unbraced structure of our government? Is this a chimera? Is it going off the ground of matter-of-fact to say, the rejection of the appropriation proceeds upon the doctrine of a civil war of the departments? Two branches have ratified a treaty, and we are going to set it aside. How is this disorder in the machine to be rectified? While it exists its movements must stop, and when we talk of a remedy, is that any other than the formidable one of a revolutionary one of the people? And is this, in the judgment even of my opposers, to execute, to preserve the Constitution and the public order? Is this the state of hazard, if not of convulsion, which they can have the courage to contemplate and to brave, or beyond which their penetration can reach and see the issue? They seem to believe, and they act as if they believed, that our union, our peace, our liberty, are invulnerable and immortal—as if our happy state was not to be disturbed by our dissensions, and that we are not capable of falling from it by our unworthiness. Some of them have, no doubt, better nerves and better discernment than mine. They can see the bright aspects and the happy consequences of all this array of horrors. They can see intestine discords, our government disorganized, our wrongs aggravated, multiplied, and unredressed, peace with dishonor, or war without justice, union, or resources, in "the calm lights of mild philosophy."

But whatever they may anticipate as the next measure of prudence and safety, they have explained nothing to the House. After rejecting the treaty, what is to be the next step? They must have foreseen what ought to be done; they have doubtless resolved what to propose. Why then are they silent? Dare they not avow their plan of conduct,

or do they wait till our progress toward confusion shall guide them in forming it?

Let me cheer the mind, weary, no doubt, and ready to despond on this prospect, by presenting another, which it is yet in our power to realize. Is it possible for a real American to look at the prosperity of this country without some desire for its continuance—without some respect for the measures which, many will say, produced, and all will confess, have preserved, it? Will he not feel some dread that a change of system will reverse the scene? The well-grounded fears of our citizens in 1794 were removed by the treaty, but are not forgotten. Then they deemed war nearly inevitable, and would not this adjustment have been considered, at that day, as a happy escape from the calamity? The great interest and the general desire of our people was to enjoy the advantages of neutrality. This instrument, however misrepresented, affords America that inestimable security. The causes of our disputes are either cut up by the roots, or referred to a new negotiation after the end of the European war. This was gaining everything, because it confirmed our neutrality, by which our citizens are gaining everything. This alone would justify the engagements of the government. For, when the fiery vapors of the war lowered in the skirts of our horizon, all our wishes were concentrated in this one, that we might escape the desolation of the storm. This treaty, like a rainbow on the edge of the cloud, marked to our eyes the space where it was raging, and afforded, at the same time, the sure prognostic of fair weather. If we reject it, the vivid colors will grow pale—it will be a baleful meteor portending tempest and war.

Let us not hesitate, then, to agree to the appropriation

to carry it into faithful execution. Thus we shall save the faith of our nation, secure its peace, and diffuse the spirit of confidence and enterprise that will augment its prosperity. The progress of wealth and improvement is wonderful, and, some will think, too rapid. The field for exertion is fruitful and vast, and if peace and good government should be preserved, the acquisitions of our citizens are not so pleasing as the proofs of their industry—as the instruments of their future success. The rewards of exertion go to augment its power. Profit is every hour becoming capital. The vast crop of our neutrality is all seed-wheat, and is sown again to swell, almost beyond calculation, the future harvest of prosperity. And in this progress, what seems to be fiction is found to fall short of experience.

I rose to speak under impressions that I would have resisted if I could. Those who see me will believe that the reduced state of my health has unfitted me almost equally for much exertion of body or mind. Unprepared for debate, by careful reflection in my retirement, or by long attention here, I thought the resolution I had taken to sit silent, was imposed by necessity, and would cost me no effort to maintain. With a mind thus vacant of ideas, and sinking, as I really am, under a sense of weakness, I imagined the very desire of speaking was extinguished by the persuasion that I had nothing to say. Yet, when I come to the moment of deciding the vote, I start back with dread from the edge of the pit into which we are plunging. In my view, even the minutes I have spent in expostulation have their value, because they protract the crisis, and the short period in which alone we may resolve to escape it.

I have thus been led, by my feelings, to speak more at length than I intended. Yet I have, perhaps, as little

personal interest in the event as any one here. There is, I believe, no member who will not think his chance to be a witness of the consequences greater than mine. If, however, the vote shall pass to reject, and a spirit should rise, as it will, with the public disorders, to make confusion worse confounded, even I, slender and almost broken as my hold upon life is, may outlive the government and Constitution of my country.

ROBESPIERRE

MAXIMILIEN MARIE ISIDORE ROBESPIERRE was born at Arras on May 6, 1758. He was educated first at a college in Arras and afterward at the Collège Louis le Grand in Paris. Admitted to the bar in 1781, he returned to his native town to practice. In 1782 he was appointed Criminal Judge in the diocese of Arras. This appointment he soon resigned to avoid pronouncing a sentence of death. He then resumed the practice of law. In 1783, having taken up literary pursuits, he was elected a member of the Academy of Arras. In 1784 he obtained a medal from the Academy of Metz for an essay. In 1789 he was elected fifth deputy of the Tiers État of Artois to the States-General. In this body he at once became leader of the Extreme Left. After the death of Mirabeau, in 1791, the way was left clear for the influence of Robespierre. The flight of the king on the 21st of June of that year, and his arrest at Varennes, excited Robespierre's suspicions, and made him declare himself at the Jacobin Club to be neither Monarchist nor Republican. On the 30th of September, on the dissolution of the Constituent Assembly, the people of Paris crowned him as one of the two incorruptible patriots. Owing to his opposition to the war with Austria, the Girondins attacked him so violently that in April, 1792, he resigned the post of Public Prosecutor at the Tribunal of Paris, and started a journal, "Le Défenseur de la Constitution," for his own protection. On the 16th of August, he presented a petition of the Commune of Paris to the Legislative Assembly, demanding the establishment of a revolutionary tribunal. Toward the end of September he was elected first deputy for Paris to the National Convention. His speech in December on the question of the king's trial is thought to have decided the latter's fate. On the 27th of July, 1793, Robespierre was elected a member of the Committee of Public Safety. He then may be said to have become one of the actual rulers of France. The enemies of Danton, Camille Desmoulins and their friends having won over Robespierre, the former were on the 30th of March arrested, and on the 5th of the following April guillotined. Thereafter Robespierre began to develop a policy distinct from that of his colleagues in the great Committee, a divergence which ended in his downfall. He used his influence over the Jacobin Club to dominate the Commune of Paris, and attempted to monopolize the influence of the Committee of Public Safety over the army. In Paris he increased the pressure of the Terror to such an extent, that between the 12th of June and the 28th of July, the day of his death, no less than 1,285 victims perished by the guillotine.

AGAINST CAPITAL PUNISHMENT

DELIVERED IN THE CONSTITUENT ASSEMBLY, MAY 30, 1791

THE news having been brought to Athens that Athenian citizens had been sentenced to death in the town of Argos, the people hastened to the temples to implore the gods to divert the Athenians from thoughts so cruel and so baleful. I come to urge, not the gods, but the legislators, who should be the organ and the interpreters of the eternal laws the Divinity has dictated to men, to strike from the French code the laws of blood, which command judicial murder—which are repugnant to their habits and their new Constitution. I will prove to them: First, that the death penalty is essentially unjust; secondly, that it is not the most repressive of punishments, and that it increases crimes much more than it prevents them.

Outside of civil society, let an inveterate enemy attempt to take my life, or, twenty times repulsed, let him again return to devastate the field my hands have cultivated. Inasmuch as I can only oppose my individual strength to his, I must perish or I must kill him, and the law of natural defence justifies and approves me. But in society, when the strength of all is armed against one single individual, what principle of justice can authorize it to put him to death? What necessity can there be to absolve it? A conqueror who causes the death of his captive enemies is called a barbarian! A man who causes a child that he can disarm and punish, to be strangled, appears to us a monster! A prisoner that society convicts is at the utmost to

that society but a vanquished, powerless, and harmless enemy. He is before it weaker than a child before a full-grown man.

Therefore, in the eyes of truth and justice, these death scenes which it orders with so much preparation are but cowardly assassinations—solemn crimes committed, not by individuals, but by entire nations, with due legal forms. However cruel, however extravagant these laws may be, be not astonished. They are the handiwork of a few tyrants; they are the chains with which they load down humankind; they are the arms with which they subjugate them! They were written in blood! "It is not permitted to put to death a Roman citizen"—this was the law that the people had adopted; but Sylla conquered and said: "All those who have borne arms against me deserve death." Octavius, and the companions of his misdeeds, confirmed this law.

Under Tiberius, to have praised Brutus was a crime worthy of death. Caligula sentenced to death those who were sacrilegious enough to undress before the image of the emperor. When tyranny had invented the crimes of lèse-majesté (which might be either trivial acts or heroic deeds), he who should have dared to think that they could merit a lighter penalty than death would himself have been held guilty of lèse-majesté.

When fanaticism, born of the monstrous union of ignorance and despotism, in its turn invented the crimes of lèse-majesté against God—when it thought, in its frenzy, to avenge God himself—was it not obliged to offer him blood and to place him on the level of the monsters who called themselves his images? The death penalty is necessary, say the partisans of antiquated and barbarous routine! Without it there is no restraint strong enough against crime.

Who has told you so? Have you reckoned with all the springs through which penal laws can act upon human sensibility? Alas! before death how much physical and moral suffering cannot man endure!

The wish to live gives way to pride, the most imperious of all the passions which dominate the heart of man. The most terrible punishment for social man is opprobrium; it is the overwhelming evidence of public execration. When the legislator can strike the citizens in so many places and in so many ways, how can he believe himself reduced to employ the death penalty? Punishments are not made to torture the guilty, but to prevent crime from fear of incurring them.

The legislator who prefers death and atrocious punishments to the mildest means within his power outrages public delicacy, and deadens the moral sentiment of the people he governs, in a way similar to that in which an awkward teacher brutalizes and degrades the mind of his pupil by the frequency of cruel chastisements. In the end, he wears and weakens the springs of government, in trying to bend them with greater force.

The legislator who establishes such a penalty renounces the wholesome principle that the most efficacious method of repressing crimes is to adapt the punishments to the character of the various passions which produce them, and to punish them, so to speak, by their own selves. He confounds all ideas, he disturbs all connections, and opposes openly the object of all penal laws.

The penalty of death is necessary, you say? If such is the case, why have several nations been able to do without it? By what fatality have these nations been the wisest, the happiest, and the freest? If the death penalty is the

proper way to prevent great crimes, it must then be that they were rarer with these people who have adopted and extended it. Now, the contrary is exactly the case. See Japan; nowhere are the death penalty and extreme punishments so frequent; nowhere are crimes so frequent and atrocious. It is as if the Japanese tried to dispute in ferocity the barbarous laws which outrage and irritate them. The republics of Greece, where punishments were moderate, where the death penalty was either very rare or absolutely unknown—did they produce more crimes or less virtues than the countries governed by the laws of blood? Do you believe that Rome was more disgraced by heinous crimes when, in the days of her glory, the Porcian law had abolished the severe punishments applied by the kings and by the decemvirs, than she was under Sylla who had revived them, and under the emperors who exerted their rigor to a degree in keeping with their infamous tyranny? Has Russia suffered any upheaval since the despot who governs her suppressed entirely the death penalty, as if he wished to expiate by that act of humanity and philosophy the crime of keeping millions of men under the yoke of absolute power?

Listen to the voice of justice and of reason; it cries to us that human judgments are never certain enough to warrant society in giving death to a man convicted by other men liable to error. Had you imagined the most perfect judicial system; had you found the most upright and enlightened judges, there will always remain some room for error or prejudice. Why interdict to yourselves the means of reparation? Why condemn yourself to powerlessness to help oppressed innocence? What good can come of the sterile regrets, these illusory reparations you grant to a vain shade,

to insensible ashes? They are the sad testimonials of the barbarous temerity of your penal laws. To rob the man of the possibility of expiating his crime by his repentance or by acts of virtue; to close to him without mercy every return toward a proper life, and his own esteem; to hasten his descent, as it were, into the grave still covered with the recent blotch of his crime, is in my eyes the most horrible refinement of cruelty.

The first duty of the lawmaker is to form and to conserve public morals, as the source of all liberty, the source of all social happiness. When, to attain some special aim, he loses sight of this general and essential object, he commits the grossest and most fatal of errors. Therefore the laws must ever present to the people the purest model of justice and of reason. If, in lieu of this puissant severity, of this moderate calmness which should characterize them, they replace it by anger and vengeance; if they cause human blood to flow which they can prevent—which they have no right to spill; if they exhibit to the eyes of the people cruel scenes and corpses bruised by tortures—then they change in the hearts of the citizens all ideas of the just and of the unjust; they cause to germinate in the bosom of society ferocious prejudices which in their turn again produce others. Man is no longer for man an object so sacred as before. One has a lower idea of his dignity when public authority makes light of his life. The idea of the murder fills us with less horror when the law itself sets the example and provides the spectacle; the horror of the crime diminishes from the time law no longer punishes it except by another crime. Have a care not to confound the efficacy of punishment with excess of severity; the one is absolutely opposed to the other. Everything favors moderate

laws; everything conspires against cruel laws. It has been remarked that in free countries crimes are of rarer occurrence and the penal laws lighter; all ideas are linked together. Free countries are those in which the rights of man are respected, and where, consequently, the laws are just. Where they offend humanity by an excess of rigor, it is a proof that there the dignity of man is not known and that the dignity of the citizen does not exist. It is a proof that the legislator is but a master who commands slaves and punishes them mercilessly according to his whim.

AGAINST GRANTING THE KING A TRIAL

DELIVERED DECEMBER 3, 1792

THE Assembly has been led unwittingly far from the real question. There is no trial to be held here. Louis is not an accused person; you are not judges; you are only and can only be men of the state and the representatives of the nation. You have no sentence to pass for or against a man; but a measure of public safety to take, an act of national providence to exercise. A dethroned king in the Republic is good only for two purposes, either to trouble the tranquillity of the State and to unsettle liberty or to establish both. Moreover, I maintain that the character which your deliberation has taken until now is going directly against its aim.

Indeed, what decision do sound politics prescribe for cementing the newborn Republic? It is to engrave deeply in our hearts a scorn for royalty and to strike senseless all partisans of the king. So, to present his crime as a problem to the universe, his cause as the object of the most imposing,

the most religious, the most difficult discussion which could occupy the representatives of the French people, to put an incommensurable distance between the only recollection of what he was and the dignity of a citizen; that is exactly to have found the secret of making him still dangerous to liberty.

Louis was king and the Republic is founded; the famous question which occupies you is decided by these words alone. Louis has been dethroned for his crimes; Louis denounced the French people as rebellious; he has called the arms of tyrants, his colleagues, to chastise them; victory and the people have decided that he alone was rebellious: so Louis cannot be judged; he is already judged. He is condemned, or the Republic is not absolved. To propose a trial for Louis XVI, in any way whatever, is to retrograde towards royal and constitutional despotism; it is a counter-revolutionary idea; for it is putting the revolution itself in question. Indeed, if Louis can still be the object of a trial, Louis can be absolved; he can be innocent. What do I say? He is presumably so until he is judged. But if Louis is absolved, if Louis can be presumed to be innocent, what does the Revolution become? If Louis is innocent, all the defenders of liberty become calumniators. All the rebels were friends of truth and the defenders of oppressed innocence; all the manifestoes of foreign courts are only legitimate complaints against a ruling faction. Even the confinement that Louis is subjected to until the present time is an unjust vexation; the federates, the people of Paris, all the patriots of the French empire are guilty; and this great trial pending in the court of nature, between crime and virtue, between liberty and tyranny, is finally decided in favor of crime and tyranny. Citizens, take care; you are deceived here by false

notions; you are confounding the rules of civil and positive law with the principles of the law of nations; you are confounding the relations of the citizens among themselves with the relations of nations to an enemy conspiring against them; again, you are confounding the situation of a people in revolution with that of a people whose government is established; you are confounding a nation which punishes a public functionary, while preserving the form of government and that which destroys the government itself. We attribute to ideas which are familiar to us an extraordinary case which depends on principles that we have never applied. So, because we are accustomed to see offences of which we are the witnesses judged acording to uniform rules, we are naturally inclined to believe that in no circumstance nations can with equity proceed otherwise against a man who has violated their rights, and where we do not see a jury, a court, a trial, we do not find justice. Even those terms which we apply to ideas different from those which they express in common use completely deceive us. Such is the natural empire of habit that we regard the most arbitrary, sometimes even the most defective institutions, as the most absolute rule of truth or falsehood, justice and injustice. We do not even dream that the majority still hold necessarily to the prejudices with which despotism has nourished us; we have been so long bowed under its yoke that we lift ourselves with difficulty to the eternal principles of reason; everything that rises to the sacred source of all laws seems in our eyes to assume an illegal character, and the very order of nature seems to us disorder. The majestic movements of a great people, the sublime impulses of virtue, often present themselves to our timid eyes like the eruptions of a volcano or the overthrow of political society; and surely it

is not the least cause of the troubles which agitate us, this eternal contradiction between the weakness of our customs, the depravity of our minds, and the purity of principles, the energy of character which the free government to which we dare pretend supposes.

When a nation has been forced to have recourse to the right of insurrection it returns to a state of nature in regard to the tyrant. How could the latter appeal to the social compact? He has annihilated it. The nation can preserve it still, if she thinks it proper, for whatever concerns the relations of citizens among themselves: but the effect of tyranny and insurrection is to break it entirely with regard to the tyrant; it is to establish them reciprocally in a state of war; the tribunals, the judiciary procedures, are made for the members of the city. It is a gross contradiction to suppose that the constitution can preside over this new state of things; it would be to suppose that it survived itself. What are the laws which replace it? Those of nature, which is the basis of society itself; the safety of the people. The right to punish the tyrant and that to dethrone him are the same thing. The one does not admit of different forms from the other. The tyrant's trial is insurrection; his judgment is the fall of his power; his penalty, whatever the liberty of the people demands.

Peoples do not judge like judiciary courts: they give no sentence, they hurl forth the thunderbolt; they do not condemn kings, they plunge them into nothingness; and this justice is well worth that of tribunals. If they arm themselves against their oppressors for their own safety, how should they be bound to adopt a method of punishing them which would be a new danger to them?

We have allowed ourselves to be misled by foreign

examples which have nothing in common with us. Since Cromwell caused Charles I to be judged by a tribunal which he controlled; since Elizabeth had Mary of Scotland condemned in the same way, it is natural that tyrants who are sacrificing their equals, not to the people, but to their own ambition, should try to deceive the opinion of the common crowd by illusive forms. It is neither a question of principles, nor of liberty, but of trickery and intrigue; but the people! What other law can they follow but justice and right supported by their omnipotence?

In what republic has the necessity of punishing the tyrant been litigious? Was Tarquin called to judgment? What would have been said in Rome if the Romans had dared to declare themselves their own defenders? What are we doing? We are calling everywhere for advocates to plead the cause of Louis XVI.

We sanction as legitimate acts those which among all free people would have been regarded as the greatest of crimes. We ourselves invite the citizens to baseness and corruption. Some day we shall be able to award to Louis's defenders civic crowns; because if they defend his cause they can hope to make it triumph; otherwise you would give to the universe only a ridiculous comedy. And we dare speak of a republic! We invoke forms because we have no principles; we take pride in our delicacy because we lack energy; we display a false humanity because the sentiment of true humanity is a stranger to us; we revere the shade of a king because we are without bowels of mercy for the oppressed.

The trial of Louis XVI? What is this trial, if it is not the call of insurrection to a tribunal or to some assembly? When a king has been annihilated by the people, who has

the right to resuscitate him in order to make a new pretext for trouble and rebellion? And what other effects can this system produce? By opening an arena to the champions of Louis XVI you resuscitate all the quarrels of despotism with liberty; you sanction the right to blaspheme against the Republic and against the people, because the right to defend the former despot conveys the right to say everything favorable to his cause. You arouse all the factions; you re-
8 vive, you encourage dormant royalism. One could freely take part for or against it. What more legitimate, what more natural than to repeat everywhere the maxims that his defenders would be able to profess loudly at your bar and even in your tribune? What a Republic it is, the founders of which arouse adversaries on every side to attack it in its cradle!

It is a great cause, you say, which must be judged with wise and slow circumspection. It is you who make a great cause of it. What do I say? It is you who make a cause of it. What do you find great in it? Is it the difficulty? No. Is it the person? In the eyes of liberty there is none more vile; in the eyes of humanity there is none more guilty. He can impose again only on those who are more dastardly than himself. Is it the utility of the result? That is another reason for hastening it. A great cause is a project of popular law; a great cause is that of an unfortunate oppressed by despotism. What is the motive of these everlasting delays which you recommend to us? Are you afraid of wounding the opinion of the people? As if the people themselves feared anything but the weakness or ambition of their proxies! As if the people were a vile troop of slaves, stupidly attached to the stupid tyrant whom they have proscribed, desiring at whatever price to wallow in baseness and

in servitude! You speak of opinion; is it not for you to direct it, to fortify it? If it goes astray, if it is depraved, who must be blamed if not you yourselves? Are you afraid of displeasing the foreign kings leagued against us? Oh! without doubt, the way to conquer them is to appear to fear them: the way to confound the criminal conspiracy of the despots of Europe is to respect their accomplice. Are you afraid of foreign peoples? Then you still believe in the innate love of tyranny. Why then do you aspire to the glory of emancipating the human race? By what contradiction do you suppose that the nations which have not been astonished by the proclamation of the rights of humanity will be dismayed at the chastisement of one of its most cruel oppressors? Finally you fear, they say, the opinion of posterity. Yes, posterity will be astonished indeed at your inconsequence and your weakness; and our descendants will laugh both at the presumption and the prejudices of their fathers. It has been said that it takes genius to get to the bottom of this question. I maintain that it takes only good faith: it is much less a matter of enlightening one's self than of not voluntarily blinding one's self. Why does a thing which seems clear to us at one time seem obscure at another? Why does that which the good sense of the people decides easily change for its delegates to an almost unsolvable problem? Have we the right to have a general will and a different wisdom from universal reason?

I have heard the defenders of inviolability advance a bold principle which I should have almost hesitated to express myself. They said that those who would have slain Louis XVI the tenth of August would have done a virtuous action. But the only basis of this opinion can be nothing but the crimes of Louis XVI and the rights of the people.

But has an interval of three months changed his crimes or the rights of the people? If then he was snatched away from public indignation it was without doubt solely that his punishment, solemnly ordered by the National Convention in the name of the nation, should be more imposing to the enemies of humanity; but to bring up the question whether he is guilty or whether he can be punished is to betray the faith given to the French people. There are perhaps some who, either to hinder the Assembly from taking a character worthy of it, or to take away from the nations an example which would elevate souls to the height of republican principles, or through still more shameful motives, would not be sorry if a private hand filled the functions of national justice. Citizens, beware of this trap; whoever will dare to give such advice will only serve the enemies of the people. Whatever happens, Louis's punishment is henceforth good only as it bears the solemn character of a public vengeance.

Of what importance to the people is the despicable individual of the last of the kings? Representatives, what is important to them, what is important to yourselves, is that you fulfill the duties which their confidence has imposed upon you. You have proclaimed the Republic, but have you given it to us? We have not yet made a single law which justifies that name; we have not yet reformed a single abuse of despotism. Take away the name, we have still tyranny entirely; and, moreover, factions more vile and charlatans more immoral, with new fermentations of troubles and civil war. The Republic! And Louis still lives! And you place the person of the king again between us and liberty! On account of scruples let us fear to make criminals of ourselves; let us fear that by showing too much

indulgence for the guilty we may place ourselves in his place.

A new difficulty! To what punishment shall we condemn Louis? The punishment of death is too cruel. No, says another, life is more cruel still. I ask that he may live. Advocates of the king, is it through pity or cruelty that you wish to keep him from the penalty of his crimes? As for me, I abhor the penalty of death lavished by your laws, and I have neither love nor hatred for Louis. I hate only his crimes. I have asked the Assembly, which you still call Constituent, for the abolition of the death penalty, and it is not my fault if the first principles of right seem to it moral and political heresies. But if you never took it upon yourselves to demand them in favor of so many unfortunates whose offences are less their own than those of the government, by what chance do you remember them only to plead the cause of the greatest of all criminals? You ask an exception to the death penalty for him alone who can make it legitimate! Yes, the penalty of death generally is a crime, and for that reason alone, after the indestructible principles of nature, can be justified only in cases when it is necessary for the safety of individuals or the social body. Moreover, public safety never provokes it against ordinary offences, because society can always guard against them by other means and make the offender powerless to harm it. But a dethroned king in the bosom of a revolution which is nothing less than cemented by laws, a king whose name alone draws the scourge of war on the agitated nation, neither prison nor exile can render his existence indifferent to public happiness; and this cruel exception to ordinary laws which justice allows can only be imputed to the nature of his crimes. I regret to pronounce this fatal truth. . . . But Louis ought

to die, because the country must live. Among a peaceful, free people respected at home, as well as abroad, the advice that has been given you to be generous could be listened to. But a people whose liberty is still disputed after so many sacrifices and combats, a people whose laws are still inexorable only in regard to the unfortunate; a people among whom the crimes of tyranny are subjects of dispute, ought to desire to be avenged; and the generosity with which we are flattered would resemble too much that of a society of brigands dividing their spoils.

I propose to you to determine this moment the fate of Louis. As to his wife, you will send her to the tribunal, as well as all persons accused of the same offences. His son will be kept in the Temple until peace and public liberty are assured. For him I ask that the Convention declare him from this moment a traitor to the French nation, a criminal toward humanity; I ask that he give a great example to the world in the same place where, the tenth of August, the generous martyrs of liberty died. I ask that this memorable event be consecrated by a monument destined to nourish in the heart of nations the sentiment of their rights and the horror of tyrants; and in the soul of tyrants the salutary terror of the justice of the people.

[Special translation by Helen B. Dole.]

"IF GOD DID NOT EXIST, IT WOULD BE NECESSARY TO INVENT HIM"

FROM A SPEECH AT THE JACOBIN CLUB, NOVEMBER 21, 1793

LET men, animated by pure zeal, lay on the altar of their country the useless and pompous monuments of superstition. Let others renounce such ceremonies, and adopt on all matters the opinion which seems to them most conformable with true reason. Philosophy can only applaud their conduct. But by what title does hypocrisy come here to mingle with that of civism and virtue? What right have men, hitherto unknown in the Revolution, to come into the midst of you, to seek in passing events false popularity, to hurry on patriots to fatal measures, and to throw among them the seeds of trouble and discord? By what right do they disturb the existing worship in the name of liberty, and attack fanaticism by fanaticism of another kind? By what right will they degrade the solemn homage rendered to truth into an eternal and ridiculous farce? One would suppose the Convention had proscribed the Catholic faith; it has done no such thing. It has, on the contrary, by a solemn decree, established the liberty of worship. It will alike proscribe the ministers of religion who disturb and protect those who respect the public peace. It is the Royalist, not the Catholic, priesthood whom it has with justice persecuted. We have heard of priests being denounced for having said Mass; they will only say it the more for being disturbed: whoso would prevent them is a greater fanatic than he who says the Mass. There are men who would go further; who, under the guise of destroying su-

perstition, would establish atheism itself. Every philosopher, every individual, is at liberty to adopt whatever opinion he pleases, but the legislator would be a thousand times blamable who adopted such a system. The Convention abhors all such attempts; it is no maker of metaphysical theories: it is a popular body, whose mission is to cause, not only the rights, but the character, of the French people to be respected. Not in vain has it proclaimed the rights of man in the presence of the Supreme Being.

They will say, perhaps, that I am prejudiced, that I am a man of narrow mind, that I am a fanatic. I have already said that I do not here speak as an individual, nor as a systematic philosopher, but a representative of the people. Atheism is aristocratic. The idea of a Supreme Being, who watches over oppressed innocence, and punishes triumphant crime, is altogether popular. The people, the unfortunate, will always applaud me; I shall find detractors only among the rich and the guilty. I have from my youth upward been but an indifferent Catholic, but I have never been a cold friend, or a faithless defender of humanity. I am even more strongly attached to moral than political truth. If God did not exist, it would be necessary to invent him. I speak here in a tribune where the impudent Guadet dared to accuse me of having pronounced the word "Providence," as if that were a crime. And when? When my heart was ulcerated with all the crimes of which we were the witnesses and the victims—when shedding bitter, powerless tears on the misery of the people, eternally betrayed, eternally oppressed, I endeavored to raise myself above the crowd of impure conspirators who environed me, and invoked against them celestial vengeance, in default of the thunder of the people! And if ever tyranny should reappear among us,

where is the energetic and virtuous soul that would not appeal in secret to that eternal justice which seems to have been written in all hearts? It seems to me that the last martyr of liberty would exhale his soul with a more tender sentiment, relying on that consoling idea. This sentiment is the sentiment of Europe, of the Universe; it is that of the French people. The people is not attached, either to priests, or to superstition; it is only attached to the idea of an incomprehensible power, the terror of crime, the support of virtue, to whom it is pleased to render those homages which are due to it, and which are so many anathemas against injustice and triumphant crime!

HIS DEFENCE OF TERRORISM

FROM AN ADDRESS TO THE CONVENTION, FEBRUARY 5, 1794

AFTER having marched for a long time at hazard, and, as it were, carried away by the movement of contrary factions, the representatives of the people have at last formed a government. A sudden change in the nation's fortune announced to Europe the regeneration which had been operated in the national representation; but up to this moment we must admit that we have been rather guided in these stormy circumstances by the love of good, and by a sense of the country's wants, than by any exact theory or precise rules of conduct.

It is time to distinguish clearly the aim of the Revolution and the term to which we would arrive. It is time for us to render account to ourselves, both of the obstacles

which still keep us from that aim, and of the means which we ought to take to attain it.

What is the aim to which we tend?

The peaceful enjoyment of liberty and equality; the reign of that eternal justice, of which the laws have been engraved, not upon marble, but upon the hearts of all mankind—even in the hearts of the slaves who forget them, or of the tyrants who have denied them! We desire a state of things, wherein all base and cruel passions shall be enchained, all generous and beneficent passions awakened by the laws; wherein ambition should be the desire of glory, and glory the desire of serving the country; wherein distinctions should arise but from equality itself; wherein the citizen should submit to the magistrate; the magistrate to the people, and the people to justice; wherein the country assures the welfare of every individual; wherein every individual enjoys with pride the prosperity and the glory of his country; wherein all minds are enlarged by the continual communication of republican sentiments, and by the desire of meriting the esteem of a great people; wherein arts should be the decorations of that liberty which they ennoble, and commerce the source of public wealth, and not the monstrous opulence of some few houses. We desire to substitute morality for egotism, probity for honor, principles for usages, duties for functions, the empire of reason for the tyranny of fashions, the scorn of vice for the scorn of misfortune, pride for insolence, greatness of soul for vanity, the love of glory for the love of money, good citizens for good society, merit for intrigue, genius for cleverness, truth for splendor, the charm of happiness for the *ennui* of voluptuousness, the grandeur of man for the pettiness of the great, a magnanimous people, powerful, happy,

for a people amiable, frivolous, and miserable; that is to say, all the virtues and all the miracles of a republic for all the vices and all the follies of a monarchy.

What is the nature of the government which can realize these prodigies? The democratic or republican government.

Democracy is that state in which the people, guided by laws which are its own work, executes for itself all that it can well do, and, by its delegates, all that it cannot do itself. But to found and consolidate democracy, we must first end the war of liberty against tyranny, and traverse the storm of the Revolution. Such is the aim of the revolutionary system which you have organized; you ought, therefore, to regulate your conduct by the circumstances in which the Republic finds itself; and the plan of your administration ought to be the result of the spirit of revolutionary government, combined with the general principles of democracy.

The great purity of the French Revolution, the sublimity even of its object, is precisely that which makes our force and our weakness. Our force, because it gives us the ascendency of truth over imposture, and the rights of public interest over private interest. Our weakness, because it rallies against us all the vicious; all those who in their hearts meditate the robbery of the people; all those who, having robbed them, seek impunity; all those who have rejected liberty as a personal calamity; and those who have embraced the Revolution as a trade, and the Republic as a prey. Hence the defection of so many ambitious men, who have abandoned us on our route, because they did not commence the journey to arrive at the same object as we did. We must crush both the interior and exterior enemies

of the Republic, or perish with her. And in this situation, the first maxim of your policy should be to conduct the people by reason and the enemies of the people by terror. If the spring of popular government during peace is virtue, the spring of popular government in rebellion is at once both virtue and terror; virtue, without which terror is fatal! terror, without which virtue is powerless! Terror is nothing else than justice, prompt, secure, and inflexible! It is, therefore, an emanation of virtue; it is less a particular principle than a consequence of the general principles of democracy, applied to the most urgent wants of the country.

It has been said that terror is the instrument of a despotic government. Does yours then resemble despotism? Yes, as the sword which glitters in the hand of a hero of liberty resembles that with which the satellites of tyranny are armed! The government of a revolution is the despotism of liberty against tyranny. Is force, then, only made to protect crime? Is it not also made to strike those haughty heads which the lightning has doomed? Nature has imposed upon every being the law of self-preservation. Crime massacres innocence to reign, and innocence struggles with all its force in the hands of crime. Let tyranny but reign one day, and on the morrow there would not remain a single patriot. Until when will the fury of tyranny continue to be called justice, and the justice of the people barbarity and rebellion? How tender they are to oppressors—how inexorable to the oppressed! Nevertheless, it is necessary that one or the other should succumb. Indulgence for the Royalist! exclaimed certain people. Pardon for wretches! No! Pardon for innocence, pardon for the weak, pardon for the unhappy, pardon for humanity!

MORAL IDEAS AND REPUBLICAN PRINCIPLES

FROM AN ADDRESS READ TO THE COMMITTEE OF PUBLIC SAFETY, MAY 7, 1794

CITIZENS—Every doctrine which consoles and elevates the mind ought to be received; reject all those which tend to degrade it and corrupt it. Reanimate—exalt—every generous sentiment and those great moral truths which some have attempted to extinguish. Who has commissioned thee to announce to the people that the Divinity exists not, O thou who art impassioned for this arid doctrine, and who hast no passion for thy country? What advantage is there in persuading man that a blind force presides over his destiny, and strikes at hazard both crime and virtue? that his soul is but a breath, which is dissipated at the portal of the tomb?

Will the idea of his annihilation inspire him with purer or more elevated sentiments than that of his immortality? Will it inspire him with greater respect for mankind or for himself; more devotion for his country; more boldness against tyranny; or more contempt for death? You who regret a virtuous friend, you love to think that his soul has escaped death! You who weep over the coffin of a son or of a wife, are you consoled by him who tells you that nothing more remains of them than the vile dust? Ye unfortunate who perish by the blade of an assassin—your last sigh is an appeal to eternal justice. Innocence upon the scaffold makes the tyrant in his triumphal chariot turn pale. Would it have this power if the grave levelled the oppressor and the oppressed? The more sensibility and genius a man has, the more he attaches himself to ideas

which elevate him; and the doctrine of such men becomes that of the world.

The idea of the Supreme Being and of the immortality of the soul is a continual appeal to justice: this idea is then social and republican. I know of no legislator who ever attempted to nationalize atheism. I know that the wisest among them have mingled some fiction with truth, to strike the imaginations of the ignorant, or to attach them more firmly to their institutions. Lycurgus and Solon had recourse to the authority of oracles, and Socrates himself, to accredit truth among his fellow-citizens, was obliged to persuade them that he was inspired by a familiar demon.

You will not thence conclude that it is necessary to deceive men to instruct them, but only that you are fortunate in living in an age and in a country whose enlightenment leaves us no other task to fulfil than to recall men to nature and to truth.

Be very cautious not to sever the sacred bond which unites men to the Author of their being.

And what has been substituted in place of what has been destroyed? Nothing—if it be not chaos and violence. They despised the people too much to take the trouble of persuading them; in lieu of enlightening them, they desired only to irritate and deprave them.

If the principles which I have developed so far are errors, I err, at least, with all whom the world reveres. Let us learn the lessons of history. Remark how men who have influenced the destiny of states were determined toward one or the other of two opposite systems by their personal character, and even by the nature of their political views. See with what profound art Cæsar, pleading in the Roman Senate in favor of the accomplices of Catiline,

wanders into a digression against the dogma of the immortality of the soul; so much did these ideas appear to him calculated to extinguish in the hearts of the judges the energy of virtue; so closely did the cause of vice appear to him allied to atheism. Cicero, on the contrary, invoked against traitors both the sword of the law and the thunder of the gods. Socrates, when dying, conversed with his friends on the immortality of the soul. Leonidas, at Thermopylæ, supping with his companions in arms on the eve of one of the most heroic designs that human virtue ever conceived, invited them on the morrow to a banquet in another world. There is some distance between Socrates and Chaumette, between Leonidas and Père Duchêne!

A great man, a veritable hero, esteems himself too highly to delight in the idea of his annihilation. A wretch, contemptible in his own eyes, horrible in those of others, feels that nature cannot bestow upon him a better gift than annihilation.

A sect propagated with great zeal the materialism which prevailed among the nobles and the *beaux esprits;* to it is owing, in great part, that practical philosophy which, reducing egotism to a system, regards human society as a war of cunning, success as the rule of the just and of the unjust, honesty as an affair of taste and convenience, and the world as the patrimony of adroit rogues. Among those who, at the time of which I speak, signalized themselves in the career of letters and of philosophy, one man, Rousseau, by the elevation of his mind and the grandeur of his character, showed himself worthy of being the preceptor of the human race. He openly attacked tyranny. He spoke with the enthusiasm of the Divinity; his masculine and virtuous eloquence painted in glowing colors

the charms of virtue; it defended those consolatory dogmas with which reason supports the human heart. The purity of his doctrine, drawn from nature, and in profound hatred of vice, no less than his invincible contempt for the intriguing sophists who usurped the name of philosophers, drew upon him the hatred and persecution of his rivals and of his false friends. Ah, if he had witnessed this Revolution, of which he was the precursor, and which has carried him to the Pantheon, who can doubt that his generous soul would have embraced with transport the cause of justice and equality? But what have his cowardly adversaries done for it? They have fought against the Revolution from the moment they feared that it would raise the people above them.

The traitor Gaudet denounced a citizen for having pronounced the name of Providence! We heard, some time afterward, Hébert accuse another for having written against atheism! Was it not Vergniaud and Gensonné, who, in your presence, wished to banish from the preamble of the Constitution the name of the Supreme Being, which you had placed therein? Danton, who smiled with pity at the words of virtue, glory, and posterity; Danton, whose system was to debase all that could elevate the mind; Danton, who was cold and dumb during the greatest dangers of liberty, supported them. Fanatics, hope nothing from us! To recall men to the pure worship of the Supreme Being is to give a mortal blow to fanaticism. All fiction disappears before truth, and every folly falls before reason. Without constraint, without persecution, every sect ought to amalgamate itself with the universal religion of nature. Ambitious priests, do not expect, then, that we shall re-establish your empire! Such an enterprise would be even

above our power. You have destroyed yourselves. And, besides, what is there in common between the priests and God? How different is the God of nature from the God of priests? I know of nothing so resembling atheism as the religions they have made. They have so disfigured the Supreme Being that they have done their best to destroy the idea; they have made him sometimes a globe of fire, sometimes an ox, sometimes a tree, sometimes a man, and sometimes a king. Priests created a God in their own image—they made him jealous, capricious, covetous, cruel, and implacable. They have treated him as the mayors of the palace treated the descendants of Clovis, to reign in his name, and to put themselves in his place; they have exiled him to heaven, and have only called him upon earth, to serve him in their demand for wealth, honors, pleasures, and power. The true priest of the Supreme Being is nature; his temple the universe; his religion virtue; his fêtes the joy of a great people assembled under his eyes, to draw closer the sweet bonds of universal fraternity, and to present to him the homage of pure and sensitive hearts.

Let us leave the priests and return to the Divinity. Let us establish morality upon an eternal and sacred basis; let us inspire in man that religious respect for man—that profound sentiment of his duties, which is the sole guarantee of social happiness.

Woe on him who seeks to extinguish this sublime enthusiasm and to stifle by desolating doctrines this moral instinct of the people, which is the principle of all great actions! It belongs to you, representatives of the people, to cause the truths we have developed to triumph. Brave the wild clamor of presumptuous ignorance, of hypocritical perversity! Will posterity believe that the vanquished fac-

tions carried their audacity so far as to accuse us of moderation and of aristocracy because we recalled the ideas of the Divinity and morality? Will it believe that in this hall it was said that we had thus thrown human reason back several centuries? Let us not be surprised if all the wretches combined against us prepare hemlock for us; but before we drink it, let us save the country. The vessel which bears the fortune of the Republic is not destined to be wrecked; she sails under your auspices, and the storm itself will be compelled to respect her.

The enemies of the Republic are all corrupt men. The patriot is in every sense an honest and magnanimous man. It is little to annihilate kings; we must make every nation respect the character of the French people. It is useless to bear to the end of the universe the renown of our arms, if every passion tears with impunity the bosom of our own country. Let us beware of the intoxication of success! Let us be terrible in reverses, modest in triumph, and let us secure peace and happiness by wisdom and morality. That is the true aim of our labors—that our heroic and difficult task. We believe we shall achieve this aim by proposing the following decree:

Article First.—The French people recognize the existence of the Supreme Being, and the immortality of the soul.

Article Second.—They acknowledge that the worship worthy of the Supreme Being is one of the duties of man.

DEMANDING THE KING'S DEATH

ADDRESS DELIVERED IN CONVENTION, DECEMBER 3, 1792

WHAT is the conduct prescribed by sound policy to cement the Republic? It is to engrave deeply into all hearts a contempt for royalty, and to strike terror into the partisans of the king. To place his crime before the world as a problem, his cause as the object of the most imposing discussion that ever existed, to place an immeasurable space between the memory of what he was and the title of a citizen, is the very way to make him most dangerous to liberty. Louis XVI. was the king, and the Republic is established. The question is solved by this single fact. Louis is dethroned by his crimes, he conspired against the Republic; either he is condemned or the Republic is not acquitted. To propose the trial of Louis XVI. is to question the Revolution. If he may be tried, he may be acquitted; if he may be acquitted, he may be innocent. But, if he be innocent, what becomes of the Revolution? If he be innocent, what are we but his calumniators? The coalition is just; his imprisonment is a crime; all the patriots are guilty; and the great cause which for so many centuries has been debated between crime and virtue, between liberty and tyranny, is finally decided in favor of crime and despotism!

Citizens, beware! you are misled by false notions. The majestic movements of a great people, the sublime impulses of virtue present themselves as the eruption of a volcano, and as the overthrow of political society. When a nation

is forced to recur to the right of insurrection, it returns to its original state. How can the tyrant appeal to the social compact? He has destroyed it! What laws replace it? Those of nature: the people's safety. The right to punish the tyrant or to dethrone him is the same thing. Insurrection is the trial of the tyrant—his sentence is his fall from power; his punishment is exacted by the liberty of the people. The people dart their thunderbolts, that is, their sentence; they do not condemn kings, they suppress them —thrust them back again into nothingness. In what republic was the right of punishing a tyrant ever deemed a question? Was Tarquin tried? What would have been said in Rome if any one had undertaken his defence? Yet we demand advocates for Louis! They hope to gain the cause; otherwise we are only acting an absurd farce in the face of Europe. And we dare to talk of a republic! Ah! we are so pitiful for oppressors because we are pitiless toward the oppressed!

Two months since, and who would have imagined there could be a question here of the inviolability of kings? Yet to-day a member of the National Convention, Citizen Pétion, brings the question before you as though it were one for serious deliberation! O crime! O shame! The tribune of the French people has echoed the panegyric of Louis XVI. Louis combats us from the depths of his prison, and you ask if he be guilty, and if he may be treated as an enemy. Will you allow the Constitution to be invoked in his favor? If so, the Constitution condemns you; it forbids you to overturn it. Go, then, to the feet of the tyrant and implore his pardon and clemency.

But there is another difficulty—to what punishment shall we condemn him? The punishment of death is too cruel,

says one. No, says another, life is more cruel still, and we must condemn him to live. Advocates, is it from pity or from cruelty you wish to annul the punishment of crimes? For myself I abhor the penalty of death; I neither love nor hate Louis; I hate nothing but his crimes. I demanded the abolition of capital punishment in the Constituent Assembly, and it is not my fault if the first principles of reason have appeared moral and judicial heresies. But you who never thought this mercy should be exercised in favor of those whose offences are pardonable, by what fatality are you reminded of your humanity to plead the cause of the greatest of criminals? You ask an exception from the punishment of death for him who alone could render it legitimate! A dethroned king in the very heart of a republic not yet cemented! A king whose very name draws foreign wars on the nation! Neither prison nor exile can make his an innocent existence. It is with regret I pronounce the fatal truth! Louis must perish rather than a hundred thousand virtuous citizens! Louis must perish because our country must live!

AT THE FESTIVAL OF THE SUPREME BEING

DELIVERED IN PARIS AT THE "FESTIVAL OF THE SUPREME BEING," JUNE 8, 1794

FRENCHMEN, REPUBLICANS—At last it has come, this always happy day which the French people consecrated to the Supreme Being! Never has the world he created offered to him a spectacle so worthy of his contemplation! He has seen tyranny, crime and imposture reign on earth. He sees at this moment an entire nation,

which is battling against all oppressors of humankind, suspend the course of her heroic labors to elevate her thoughts and her aspirations toward the Great Being who bestowed upon her the mission to undertake them and the strength to execute them!

Is it not he whose immortal hand, in imprinting on the heart of man the code of justice and equality, traced thereon the sentence of death for the tyrants? Is it not he who, from the beginning of time, decreed the Republic, and placed on the order of the day for all the centuries and for all nations, liberty, good faith, and justice?

He has not created kings to devour the human species; he has not created priests to harness us like brutes to the chariot of kings and to give the world the example of baseness, of pride, of perfidy, of avarice, of debauchery, and of mendacity; but he created the universe to make known his might; he created men to be helpful to each other, mutually to love one another and to reach happiness by the path of virtue!

It is he who has planted in the bosom of the triumphant oppressor remorse and terror, and in the heart of the innocent oppressed calmness and pride; it is he who compels the just man to hate the evil-doer, and the evil-doer to respect the just man; it is he who has crowned with modesty the brow of beauty, to more enhance it; it is he who causes the maternal heart to palpitate with tenderness and joy; it is he who bathes with tears of delight the eyes of the son pressed upon the bosom of his mother; it is he who causes the most imperious, and the tenderest passions to become silent before the sublime love of country; it is he who has spread upon Nature her wealth and her majesty. All that is good is his work, or is himself; the evil comes

from depraved man who oppresses or who allows his fellow-men to be oppressed.

The Author of Nature had united all mortals by a great chain of love and happiness; perish the tyrants who dared to tear it asunder! Frenchmen, Republicans! It devolves upon you to purify the earth they have contaminated, and to recall justice which they have banished from it! Liberty and virtue emanated together from the bosom of the Divinity: the one cannot dwell among men without the other. O generous nation, would you triumph over all your enemies? Exercise justice, and thus render to the Divinity the only worship worthy of him. O people, let us to-day give ourselves up under the auspices of justice to the transports of a pure joy! To-morrow again we shall take up the battle against vice and tyrants, and we shall give to the world the example of republican virtues, thus doubly honoring it!

HIS LAST WORDS

PERORATION OF HIS SPEECH IN THE NATIONAL CONVENTION, JULY 26, 1794

WHEN I see the mass of vices the torrent of the Revolution has rolled pell-mell with the civic virtues, I have sometimes trembled for fear of becoming tainted in the eyes of posterity by the impure vicinage of those perverse men who mingled in the ranks of the sincere defenders of humanity; but the overthrow of the rival factions has, as it were, emancipated all the vices; they believed that the only question for them was to make division of the country as a booty, rather than make her

free and prosperous. I am thankful that the fury which animates them against everything that opposes itself to their projects has traced the line of demarcation between them and all right-minded people; but if the Verres and the Catilines of France believe themselves already far enough advanced in the career of crime to expose on the rostrum the head of their accuser, I also have but now promised to my fellow-citizens a testament formidable to the oppressors of the people, and I bequeath to them from this moment opprobrium and death!

I conceive that it is easy for the league of the tyrants of the world to overwhelm a man; but I also know what are the duties of one who can die in defending the cause of humanity. I have seen in history all defenders of liberty overcome by ill-fortune or by calumny; but soon, their oppressors and their assassins also met their death. The good and the bad, the tyrants and the friends of liberty, disappear from the earth, but under different conditions. Frenchmen, do not allow your enemies to degrade your souls and to unnerve your virtues by a baleful heresy! No, Chaumette, no, Fouchet, death is not an unending sleep. Citizens, efface from the tombstones this impious maxim which throws a funeral crape upon all nature and flings insults upon death. Rather engrave that: "Death is the beginning of immortality!" My people, remember that if in the Republic justice does not reign with absolute sway, and if this word does not signify love of equality and of country, then liberty is but a vain phrase! O people, you who are feared—whom one flatters! you who are despised; you who are acknowledged sovereign, and are ever being treated as a slave—remember that wherever justice does not reign, it is the passions of the magistrates that reign instead,

and that the people have changed their chains and not their destinies!

Remember that there exists in your bosom a league of knaves struggling against public virtue, and that it has a greater influence than yourselves upon your own affairs—a league which dreads you and flatters you in the mass, but proscribes you in detail in the person of all good citizens!

Also recall it, that, instead of sacrificing this handful of knaves for your happiness, your enemies wish to sacrifice you to this handful of knaves—authors of all our evils and the only obstacles to public prosperity!

Know, then, that any man who will rise to defend public right and public morals will be overwhelmed with outrage and proscribed by the knaves! Know, also, that every friend of liberty will ever be placed between duty and calumny; that those who cannot be accused of treason will be accused of ambition; that the influence of uprightness and principles will be compared to tyranny and the violence of factions; that your confidence and your esteem will become certificates of proscription for all your friends; that the cries of oppressed patriotism will be called cries of sedition; and that, as they do not dare to attack you in mass, you will be proscribed in detail in the person of all good citizens, until the ambitious shall have organized their tyranny. Such is the empire of the tyrants armed against us! Such is the influence of their league with corrupt men, ever inclined to serve them. Thus the unprincipled wretches impose upon us law to force us to betray the people, under penalty of being called dictators! Shall we subscribe to this law? No! Let us defend the people at the risk of becoming their victims! Let them hasten to the scaffold by the path of crime and we by that of virtue. Shall we

say that all is well? Shall we continue to praise by force of habit or practice that which is wrong? We would ruin the country. Shall we reveal hidden abuses? Shall we denounce traitors?

We shall be told that we are unsettling the constituted authorities, that we are endeavoring to acquire personal influence at their cost. What are we to do? Our duty! What objection can be made to him who wishes to tell the truth, and who consents to die for it? Let us then say that there exists a conspiracy against public liberty; that it owes its strength to a criminal coalition which is intriguing even in the bosom of the Convention; that this coalition has accomplices in the committee, which they control; that the enemies of the Republic have opposed this committee to the Committee of Public Safety, and have thus constituted two governments; that members of the Committee of Public Safety have entered into this scheme of mischief; that the coalition thus formed tries to ruin all patriots and the fatherland.

What is the remedy for this evil? Punish the traitors, renew the offices of the Committee of General Safety, weed out this committee itself, and subordinate it to the Committee of Public Safety; weed out the Committee of Public Safety also, constitute the unity of the government under the supreme authority of the National Convention, which is the centre and the judge, and thus crush all factions by the weight of national authority, in order to erect upon their ruins the power of justice and of liberty. Such are my principles. If it be impossible to support them without being taken for an ambitious one, I shall conclude that principles are proscribed and that tyranny reigns among us, but not that I should remain silent." For what can be objected

to a man who is in the right and knows how to die for his country?

I was created to battle against crime, not to govern it. The time has not come when upright men may serve their country with impunity! The defenders of liberty will be but outlaws so long as a horde of knaves shall rule!

PINCKNEY

CHARLES PINCKNEY, an American statesman, was born in Charleston, South Carolina, in 1758, and died there, October 29, 1824. He belonged to a South Carolina family of distinction and influence, and after studying law and being admitted to the bar was elected to the Provincial Assembly in 1779. At the surrender of Charleston he was captured by the English and held prisoner until the close of the war. In the Continental Congress in 1785, Pinckney sat as a representative from South Carolina, and was conspicuous afterward as a member of the Constitutional Convention, and also of the State convention which met to ratify the constitution in 1788. He acted as president of the convention which ratified the State constitution two years later, and his popularity in South Carolina was so great that he was several times chosen governor of that State, holding office as such, 1789-92, 1796-98, and 1806-08. From 1806 to 1808 he sat in the United States Senate and served a second term there, long afterwards, 1819-21. In Congress Pinckney spoke ably and often, and as an anti-Federalist was a staunch supporter of the Jeffersonian democratic principles. He was a man of liberal views in many directions and was the first governor of South Carolina to advocate the establishment of free schools.

THE FEDERAL CONSTITUTION

[A few days subsequent to the meeting of the Federal Convention at Philadelphia, in May, 1787, Mr. Pinckney submitted to that assembly a "Plan of a Federal Constitution," which he supported with the following observations, delivered at different times during the debates:]

MR. PRESIDENT,—It is perhaps unnecessary to state to the House the reasons which have given rise to this Convention. The critical and embarrassed situation of our public affairs is no doubt strongly impressed upon every mind. I well know it is an undertaking of much delicacy to examine into the cause of public disorders, but having been for a considerable time concerned in the administration of the federal system, and an evidence of its weakness, I trust the indulgence of the House will excuse me while I endeavor to state with conciseness as well the motives

which induced the measure as what ought in my opinion to be the conduct of the convention.

There is no one, I believe, who doubts there is something particularly alarming in the present conjuncture. There is hardly a man in or out of office who holds any other language. Our government is despised; our laws are robbed of their respected terrors; their inaction is a subject of ridicule, and their exertion, of abhorrence and opposition; rank and office have lost their reverence and effect; our foreign politics are as much deranged as our domestic economy; our friends are slackened in their affection, and our citizens loosened from their obedience. We know neither how to yield nor how to enforce; hardly anything abroad or at home is sound and entire; disconnection and confusion in offices, in States, and in parties, prevail throughout every part of the Union. These are facts universally admitted and lamented.

This state of things is the more extraordinary because it immediately follows the close of a war when we conceived our political happiness was to commence; and because the parties which divided and were opposed to our systems are known to be in a great measure dissolved. No external calamity has visited us, we labor under no taxation that is new or oppressive, nor are we engaged in a war with foreigners or in disputes with ourselves. To what, then, are we to attribute our embarrassments as a nation? The answer is an obvious one: To the weakness and impropriety of a government founded in mistaken principles, incapable of combining the various interests it is intended to unite and support, and destitute of that force and energy without which no government can exist.

At the time I pronounce in the most decided terms this

opinion of our confederation, permit me to remark that, considering the circumstances under which it was formed — in the midst of a dangerous and doubtful war, and by men totally inexperienced in the operations of a system so new and extensive—its defects are easily to be excused. We have only to lament the necessity which obliged us to form it at that time, and wish that its completion had been postponed to a period better suited to deliberation.

I confess myself in sentiment with those who were of opinion that we should have avoided it if possible during the war — that it ought to have been formed by a convention of the States expressly delegated for that purpose, and ratified by the authority of the people. This indispensable power it wants, and is therefore without the validity a federal constitution ought certainly to have had. In most of the States it has nothing more, strictly speaking, than a legislative authority, and might therefore be said in some measure to be under the control of the State legislatures.

Independent of this primary defect of not having been formed in a manner that would have given it an authority paramount to the constitutions and laws of the several States, and rendered it impossible for them to have interfered with its objects or operations, the first principles are destructive and contrary to those maxims of government which have been received and approved for ages.

In a government where the liberties of the people are to be preserved and the laws well administered, the executive, legislative, and judicial should ever be separate and distinct, and consist of parts mutually forming a check upon each other.

The confederation seems to have lost sight of this wise distribution of the powers of government, and to have con-

centred the whole in a single unoperative body, where none of them can be used with advantage or effect. The inequality of the principle of representation, where the largest and most inconsiderable States have an equal vote in the affairs of the Union; the want of commercial powers; of a compelling clause to oblige a due and punctual obedience to the confederation; a provision for the admission of new States; for an alteration of the system by a less than unanimous vote; of a general guarantee, and, in short, of numerous other reforms and establishments, convince me that upon the present occasion it would be politic in the Convention to determine that they will consider the subject *de novo;* that they will pay no farther attention to the confederation than to consider it as good materials, and view themselves as at liberty to form and recommend such a plan as from their knowledge of the temper of the people and the resources of the States will be most likely to render our government firm and united.

This appears to me far more proper than to attempt the repair of a system not only radically defective in principle, but which, if it was possible to give it operation, would prove absurd and oppressive. You must not hesitate to adopt proper measures under an apprehension the States may reject them. From your deliberations much is expected; the eyes as well as hopes of your constituents are turned upon the Convention; let their expectations be gratified. Be assured that however unfashionable for the moment your sentiments may be, yet, if your system is accommodated to the situation of the Union, and founded in wise and liberal principles, it will in time be consented to. An energetic government is our true policy, and it will at last be discovered and prevail.

Presuming that the question will be taken up *de novo*, I

do not conceive it necessary to go into a minute detail of the defects of the present confederation, but request permission to submit, with deference to the House, the draft of a government which I have formed for the Union. The defects of the present will appear in the course of the examination. I shall give each article that either materially varies or is new.

I well know the science of government is at once a delicate and difficult one, and none more so than that of republics. I confess my situation or experience have not been such as to enable me to form the clearest and justest opinions. The sentiments I shall offer are the result of not so much reflection as I could have wished. The plan will admit of important amendments. I do not mean at once to offer it for the consideration of the House, but have taken the liberty of mentioning it because it was my duty to do so.

The first important alteration is that of the principle of representation and the distribution of the different powers of government. In the federal councils each State ought to have a weight in proportion to its importance; and no State is justly entitled to a greater. A representation is the sign of the reality. Upon this principle, however abused, the Parliament of Great Britain is formed, and it has been universally adopted by the States in the formation of their legislatures. It would be impolitic in us to deem that unjust which is a certain and beneficial truth.

The abuse of this equality has been censured as one of the most dangerous corruptions of the English constitution; and I hope we shall not incautiously contract a disease that has been consuming them. Nothing but necessity could have induced Congress to ratify a confederation upon other principles. It certainly was the opinion of the first Congress in 1774 to acquire materials for forming an estimate of the

comparative importance of each State; for, in the commencement of that session, they gave as a reason for allowing each colony a vote that it was not in their power at that time to procure evidence for determining their importance.

This idea of a just representation seems to have been conformable to the opinions of the best writers on the subject, that in a confederated system the members ought to contribute according to their abilities and have a vote in proportion to their importance. But if each must have a vote, it can be defended upon no other ground than that of each contributing an equal share of the public burden: either would be a perfect system.

The present must ever continue irreconcilable to justice. Montesquieu, who had very maturely considered the nature of a confederated government, gives the preference to the Lycian, which was formed upon this model. The assigning to each State its due importance in the federal councils at once removes three of the most glaring defects and inconveniences of the present confederation. The first is the inequality of representation; the second is the alteration of the mode of doing business in Congress; that is, voting individually, and not by States; the third is, that it would be the means of inducing the States to keep up their delegations by punctual and respectable appointments.

The dilatory and unpleasant mode of voting by States must have been experienced by all who were members of Congress. Seven are necessary for any question except adjourning, and nine for those of importance. It seldom happens that more than nine or ten States are represented. Hence it is generally in the power of a State or of an individual to impede the operations of that body. It has frequently happened, and indeed lately there have rarely been together upon the

floor a sufficient number of States to transact any but the most trifling business. When the different branches of government are properly distributed, so as to make each operate upon the other as a check, the apportioning the representation according to the weight of the members will enable us to remove these difficulties by making a majority of the Houses, when constituted, capable of deciding in all except a few cases, where a larger number may be thought necessary. The division of the legislative will be found essential, because in a government where so many important powers are intended to be placed much deliberation is requisite.

No possibility of precipitately adopting improper measures ought to be admitted, and such checks should be imposed as we find, from experience, have been useful in other governments. In the Parliament of Great Britain, as well as in most and the best instituted legislatures of the States, we find not only two branches, but in some a council of revision, consisting of their executive and principal officers of government.

This I consider as an improvement in legislation and have therefore incorporated it as a part of the system. It adds to that due deliberation without which no act should be adopted; and if in the affairs of a State government these restraints have proved beneficial, how much more necessary may we suppose them in the management of concerns so extensive and important?

The Senate, I propose to have elected by the House of Delegates, upon proportionable principles, in the manner I have stated, which, though rotative, will give that body a sufficient degree of stability and independence. The districts into which the Union is to be divided will be so apportioned as to give to each its due weight, and the Senate, cal-

culated in this, as it ought to be in every government, to represent the wealth of the nation. No mode can be devised more likely to secure their independence, of either the people or the House of Delegates, or to prevent their being obliged to accommodate their conduct to the influence or caprice of either. The people, in the first instance, will not have any interference in their appointment, and, each class being elected for four years, the House of Delegates, which nominate, must, from the nature of their institution, be changed before the times of the senators have expired.

The executive should be appointed septennially, but his eligibility ought not to be limited. He is not a branch of the legislature farther than as a part of the council of revision, and the suffering him to continue eligible will not only be the means of ensuring his good behavior, but serve to render the office more respectable. I shall have no objection to elect him for a longer term if septennial appointments are supposed too frequent or unnecessary.

It is true that in our government he cannot be clothed with those executive authorities the chief magistrate of a government often possesses; because they are vested in the legislature and cannot be used or delegated by them in any but the specified mode. Under the new system it will be found essentially necessary to have the executive distinct. His duties will be to attend to the execution of the acts of Congress by the several States, to correspond with them upon the subject; to prepare and digest in concert with the great departments such business as will come before the legislative at their stated sessions: to acquire from time to time as perfect a knowledge of the situation of the Union as he possibly can, and to be charged with all the business of the home department. He will be empowered, whenever he con-

ceives it necessary, to inspect the departments of foreign affairs, of war, of treasury, and, when instituted, of the admiralty.

This inspection into the conduct of the departments will operate as a check upon those officers, keep them attentive to their duty, and may be the means in time not only of preventing and correcting errors, but of detecting and punishing malpractices. He will have a right to consider the principals of these departments as his council and to acquire their advice and assistance whenever the duties of his office shall render it necessary.

By this means our government will possess what it has always wanted, but never yet had, a cabinet council, an institution essential in all governments whose situation or connections oblige them to have an intercourse with other powers. He will be the commander-in-chief of the land and naval forces of the United States; have a right to convene and prorogue the legislature upon special occasions when they cannot agree as to the time of their adjournment; and appoint all officers except judges and foreign ministers.

Independent of the policy of having a distinct executive, it will be found that one on these principles will not create a new expense: The establishment of the President of Congress' household will nearly be sufficient; and the necessity which exists at present, and which must every day increase, of appointing a secretary for the home department, will then cease. He will remain always removable by impeachment, and it will rest with the legislature to fix his salary upon permanent principles.

The mode of doing business in the federal legislature, when thus newly organized, will be the parliamentary one, adopted by the State legislatures. In a council so important

as I trust the federal legislature will be, too much attention cannot be paid to their proceedings. It is astonishing that in a body constituted as the present Congress so few inaccuracies are to be seen in their proceedings; for certainly no assembly can be so much exposed to them as that wherein a resolution may be introduced and passed at once. It is a precipitancy which few situations can justify in deliberative bodies and which the proposed alteration will effectually prevent. . . .

In every confederacy of States formed for their general benefit and security there ought to be a power to oblige the parties to furnish their respective quotas without the possibility of neglect or evasion; there is no such clause in the present confederation, and it is therefore without this indispensable security. Experience justifies me in asserting that we may detail as minutely as we can the duties of the States, but unless they are assured that these duties will be required and enforced, the details will be regarded as nugatory.

No government has more severely felt the want of a coercive power than the United States; for want of it the principles of the confederation have been neglected with impunity in the hour of the most pressing necessity and at the imminent hazard of its existence; nor are we to expect they will be more attentive in future. Unless there is a compelling principle in the confederacy there must be an injustice in its tendency; it will expose an unequal proportion of the strength and resources of some of the States to the hazard of war in defence of the rest. The first principles of justice direct that this danger should be provided against; many of the States have certainly shown a disposition to evade a performance of their federal duties and throw the burden of government upon their neighbors.

It is against this shameful evasion in the delinquent, this forced assumption in the more attentive, I wish to provide, and they ought to be guarded against by every means in our power. Unless this power of coercion is infused, and exercised when necessary, the States will most assuredly neglect their duties. The consequence is either a dissolution of the Union or an unreasonable sacrifice by those who are disposed to support and maintain it.

The article empowering the United States to admit new States into the confederacy is become indispensable, from the separation of certain districts from the original States, and the increasing population and consequence of the western territory. I have also added an article authorizing the United States, upon petition from the majority of the citizens of any State or convention authorized for that purpose, and of the legislature of the State to which they wish to be annexed, or of the States among which they are willing to be divided, to consent to such junction or division on the terms mentioned in the article.

The inequality of the federal members, and the number of small States, is one of the greatest defects of our Union. It is to be hoped this inconvenience will in time correct itself; and that the smaller States, being fatigued with the expense of their State systems, and mortified at their want of importance, will be inclined to participate in the benefits of the larger, by being annexed to and becoming a part of their governments. I am informed sentiments of this kind already prevail; and, in order to encourage propositions so generally beneficial, a power should be vested in the Union to accede to them whenever they are made.

The federal government should also possess the exclusive right of declaring on what terms the privileges of citizenship

and naturalization should be extended to foreigners. At present the citizens of one State are entitled to the privileges of citizens in every State. Hence it follows that a foreigner, as soon as he is admitted to the rights of citizenship in one, becomes entitled to them in all. The States differed widely in their regulations on this subject. I have known it already productive of inconveniences and think they must increase.

The younger States will hold out every temptation to foreigners by making the admission to offices less difficult in their governments than the older. I believe in some States the residence which will enable a foreigner to hold any office will not in others entitle him to a vote. To render this power generally useful it must be placed in the Union, where alone it can be equally exercised.

The sixteenth article proposes to declare that if it should hereafter appear necessary to the United States to recommend the grant of any additional powers, that the assent of a given number of the States shall be sufficient to invest them and bind the Union as fully as if they had been confirmed by the legislatures of all the States. The principles of this, and the article which provides for the future alteration of the constitution by its being first agreed to in Congress, and ratified by a certain proportion of the legislatures, are precisely the same; they both go to destroy that unanimity which, upon these occasions, the present system has unfortunately made necessary. The propriety of this alteration has been so frequently suggested that I shall only observe that it is to this unanimous consent the depressed situation of the Union is undoubtedly owing. Had the measures recommended by Congress and assented to, some of them by eleven and others by twelve of the States, been carried into execution, how different would have been the complexion of public

affairs? To this weak, this absurd part of the government, may all our distresses be fairly attributed.

If the States were equal in size and importance, a majority of the legislatures might be sufficient for the grant of any new powers; but disproportioned as they are and must continue for a time, a larger number may now in prudence be required. But I trust no government will ever again be adopted in this country whose alteration cannot be effected but by the assent of all its members. The hazardous situation the United Netherlands are frequently placed in on this account, as well as our own mortifying experience, are sufficient to warn us from a danger which has already nearly proved fatal. It is difficult to form a government so perfect as to render alterations unnecessary; we must expect and provide for them. But difficult as the forming a perfect government would be, it is scarcely more so than to induce thirteen separate legislatures to think and act alike upon one subject. The alterations that nine think necessary ought not to be impeded by four; a minority so inconsiderable should be obliged to yield. Upon this principle the present articles are formed, and are, in my judgment, so obviously proper that I think it unnecessary to remark farther upon them.

MONROE

JAMES MONROE was born in 1758 in Westmoreland County, Virginia. At the outbreak of the Revolutionary War, he was a student at the College of William and Mary, but he left his studies in 1776 to join the Continental Army. He took part as Lieutenant in the New Jersey campaign of that year, and was wounded at the battle of Trenton. The next year he served with the rank of Captain on the staff of General William Alexander. In 1780 he began the study of the law under the direction of Jefferson, then Governor of Virginia. Thereafter, under all vicissitudes, he continued to possess the friendship and support of both Jefferson and Madison. In 1782 Monroe was in the Virginia Legislature, and from 1783 to 1786 he was a member of the Congress of the Confederation. On retiring from Congress he entered upon the practice of the law, and was again elected to the Legislature. In the Virginia Convention of 1788, called for the purpose of ratifying the proposed Federal Constitution, he was among the opponents of that instrument, but his course was approved by the Legislature of his State, which elected him United States Senator in 1790. Although in the Federal Senate he had shown himself opposed to the Federalist administration, he was appointed by Washington in 1794 Minister to France, but was recalled two years later, on the ground that he had failed to represent properly the policy of the government. In justification of his diplomatic conduct, he published in the following year a pamphlet of five hundred pages. In 1799 he became Governor of Virginia and was twice re-elected. When the Republican party came into power with Jefferson as President, Monroe was again called upon to discharge diplomatic functions. Commissioned in 1803 to co-operate with Livingston, then Resident Minister at Paris, he took part in effecting the purchase of the Louisiana Territory. He was next commissioned Minister to England, and subsequently undertook a mission to Madrid. In 1806 he was placed in a commission with William Pinkney to negotiate a treaty with England, but the outcome of his negotiations was rejected. Returning to the United States in 1807, he drew up a defence of his diplomatic conduct in Great Britain. In the following year some disaffected Republicans attempted to put Monroe forward as the candidate for the Presidency, but, as Virginia declared in favor of Madison, he withdrew his name. In 1810 he was again sent to the Legislature of his native State, and the next year became its Governor. In the same twelvemonth he was appointed Secretary of State in

Madison's Cabinet, and for a time discharged also the duties of the War Department. He was chosen President in 1816, and in 1820 received all the electoral votes but one. As President he accomplished the acquisition of the Floridas, and formulated the so-called Monroe Doctrine, which announced to the world that America should be reserved for the Americans. On the expiration of his second Presidential term, Monroe retired to Oakhill, his county seat in Virginia, but, at the time of his death, July 4, 1831, he was residing in New York.

FEDERAL EXPERIMENTS IN HISTORY

VIRGINIA CONSTITUTIONAL CONVENTION, JUNE 10, 1788

Mr. Chairman:

I CANNOT avoid expressing the great anxiety which I feel upon the present occasion—an anxiety that proceeds not only from a high sense of the importance of the subject, but from a profound respect for this august and venerable assembly. When we contemplate the fate that has befallen other nations, whether we cast our eyes back into the remotest ages of antiquity, or derive instruction from those examples which modern times have presented to our view, and observe how prone all human institutions have been to decay; how subject the best formed and most wisely organized governments have been to lose their checks and totally dissolve; how difficult it has been for mankind, in all ages and countries, to preserve their dearest rights and best privileges, impelled, as it were, by an irresistible fate of despotism—if we look forward to those prospects that sooner or later await our country, unless we shall be exempted from the fate of other nations, even upon a mind the most sanguine and benevolent, some gloomy apprehensions must necessarily crowd. This consideration is sufficient to teach us the limited capacity of the human mind—how subject the wisest

men have been to error. For my own part, sir, I come forward here, not as the partisan of this or that side of the question, but to commend where the subject appears to me to deserve commendation; to suggest my doubts where I have any; and to hear with candor the explanation of others; and, in the ultimate result, to act as shall appear for the best advantage of our common country.

The American States exhibit at present a new and interesting spectacle to the eyes of mankind. Modern Europe, for more than twelve centuries past, has presented to view one of a very different kind. In all the nations of that quarter of the globe, there has been a constant effort, on the part of the people, to extricate themselves from the oppression of their rulers; but with us the object is of a very different nature: to establish the dominion of law over licentiousness; to increase the powers of the national government to such extent, and organize it in such manner, as to enable it to discharge its duties and manage the affairs of the States to the best advantage. There are two circumstances remarkable in our colonial settlement: first, the exclusive monopoly of our trade; second, that it was settled by the Commons of England only. The revolution, in having emancipated us from the shackles of Great Britain, has put the entire government in the hands of one order of people only—freemen; not of nobles and freemen. This is a peculiar trait in the character of this revolution. That this sacred deposit may be always retained there, is my most earnest wish and fervent prayer. That union is the first object for the security of our political happiness, in the hands of gracious Providence, is well understood and universally admitted through all the United States. From New Hampshire to Georgia (Rhode Island excepted),

the people have uniformly manifested a strong attachment to the Union. This attachment has resulted from a persuasion of its utility and necessity. In short, this is a point so well known that it is needless to trespass on your patience any longer about it. A recurrence has been had to history. Ancient and modern leagues have been mentioned, to make impressions. Will they admit of any analogy with our situation? The same principles will produce the same effects. Permit me to take a review of those leagues which the honorable gentleman has mentioned; which are, first, the Amphictyonic Council; second, the Achæan League; third, the Germanic system; fourth, the Swiss cantons; fifth, the United Netherlands; and, sixth, the New England confederacy. Before I develop the principles of these leagues, permit me to speak of what must influence the happiness and duration of leagues. These principles depend on the following circumstances: first, the happy construction of the government of the members of the union; second, the security from foreign danger. For instance, monarchies united would separate soon; aristocracies would preserve their union longer; but democracies, unless separated by some extraordinary circumstance, would last forever. The causes of half the wars that have thinned the ranks of mankind, and depopulated nations, are caprice, folly, and ambition; these belong to the higher orders of governments, where the passions of one, or of a few individuals, direct the fate of the rest of the community. But it is otherwise with democracies, where there is an equality among the citizens, and a foreign and powerful enemy, especially a monarch, may crush weaker neighbors. Let us see how far these positions are supported by the history of these leagues, and how far they apply to us. The Amphicty-

onic. Council consisted of three members—Sparta, Thebes, and Athens. What was the construction of these States? Sparta was a monarchy more analogous to the Constitution of England than any I have heard of in modern times. Thebes was a democracy, but on different principles from modern democracies. Representation was not known then. This is the acquirement of modern times. Athens, like Thebes, was generally democratic, but sometimes changed. In these two States the people transacted their business in person; consequently, they could not be of any great extent. There was a perpetual variance between the members of this confederacy, and its ultimate dissolution was attributed to this defect. The weakest were obliged to call for foreign aid, and this precipitated the ruin of this confederacy. The Achæan League had more analogy to ours, and gives me great hopes that the apprehensions of gentlemen with respect to our confederacy are groundless. They were all democratic, and firmly united. What was the effect? The most perfect harmony and friendship subsisted among them, and they were very active in guarding their liberties. The history of that confederacy does not present us with those confusions and internal convulsions which gentlemen ascribe to all governments of a confederate kind. The most respectable historians prove this confederacy to have been exempt from these defects. . . . This league was founded on democratical principles, and, from the wisdom of its structure, continued a far greater length of time than any other. Its members, like our States, by their confederation, retained their individual sovereignty and enjoyed perfect equality. What destroyed it? Not internal dissensions. They were surrounded by great and powerful nations—

the Lacedæmonians, Macedonians, and Ætolians. The Ætolians and Lacedæmonians making war on them, they solicited the assistance of Macedon, who no sooner granted it than she became their possessor. To free themselves from the tyranny of the Macedonians, they prayed succor from the Romans, who, after relieving them from their oppressors, soon totally enslaved them.

The Germanic body is a league of independent principalities. It has no analogy to our system. It is very injudiciously organized. Its members are kept together by the fear of danger from one another, and from foreign powers, and by the influence of the emperor.

The Swiss cantons have been instanced, also, as a proof of the natural imbecility of federal governments. Their league has sustained a variety of changes; and, notwithstanding the many causes that tend to disunite them, they still stand firm. We have not the same causes of disunion or internal variance that they have. The individual cantons composing the league are chiefly aristocratic. What an opportunity does this offer to foreign powers to disturb them by bribing and corrupting their aristocrats! It is well known that their services have been frequently purchased by foreign nations. Their difference of religion has been a source of divisions and animosity among them, and tended to disunite them. This tendency has been considerably increased by the interference of foreign nations, the contiguity of their position to those nations rendering such interference easy. They have been kept together by the fear of those nations, and the nature of their association, the leading features of which are a principle of equality between the cantons, and the retention of individual sovereignty. The same reasoning applies nearly to the United

Netherlands. The other confederacy which has been mentioned has no kind of analogy to our situation.

From a review of these leagues, we find the causes of the misfortunes of those which have been dissolved to have been a dissimilarity of structure in the individual members, the facility of foreign interference, and recurrence to foreign aid. After this review of those leagues, if we consider our comparative situation, we shall find that nothing can be adduced from any of them to warrant a departure from a confederacy to a consolidation, on the principle of inefficacy in the former to secure our happiness. The causes which, with other nations, rendered leagues ineffectual and inadequate to the security and happiness of the people, do not exist here. What is the form of our State governments? They are all similar in their structure—perfectly democratic. The freedom of mankind has found an asylum here which it could find nowhere else. Freedom of conscience is enjoyed here in the fullest degree. Our States are not disturbed by a contrariety of religious opinions and other causes of quarrels which other nations have. They have no causes of internal variance. Causes of war between the States have been represented in all those terrors which splendid genius and brilliant imagination can so well depict. But, sir, I conceive they are imaginary—mere creatures of fancy.

VON DOBELN

LIEUTENANT-GENERAL G. K. VON DOBELN was born in Finland in 1758. He served in the war between Russia and Sweden in 1788, and when hostilities again broke out in 1808 he was made lieutenant-general of the Finnish wing of the Swedish army, and was considered one of its ablest and most skilful officers. He retired to private life in 1809, after the treaty of peace between the two countries was carried into effect, and died in 1826.

ADDRESS TO THE FINNISH TROOPS, OCTOBER 8, 1809

SOLDIERS! I have mustered the army to inform you that a preliminary treaty of peace was made on the seventeenth of September between the Swedish and Russian powers. These glad tidings of peace end the horrors of a disastrous war. It is welcome news, as Sweden's exhausted resources do not permit a continuance of a warfare entered into through a political mistake and which for two years has undermined her strength and prestige. But Finland passes away from Sweden; henceforth Tornea River will be the boundary line. Finns! with the conclusion of peace one third of the domain of the Swedish crown is lost, Sweden must part forever with the proud Finnish nation, her mightiest support; yet that is not all, the Swedish army is stripped of the essential wing of its fighting power. Our motherland is crushed, drowned in sorrow and sadness over the irreparable sacrifice, but Almighty God, in his wisdom, has sealed our fate and we must accept it with patience and submission.

Soldiers, comrades, brothers! you who during the late war

with so much faithfulness and unfailing courage fought the enemy, despite his numerical strength and boastfulness, and defeated him on a score of battle-fields, you who, unaided, recaptured half of Finland, you who fought afterward with perseverance for the soil of your motherland, Sweden, you who have gathered here are a precious remnant of the proud Finnish nation and its gallant warriors! To you I extend, and I do so with deep emotion, most sincere thanks from the king, the estates of the realm, the Swedish people, the Swedish army, my superior officers, my comrades, myself; yes, from all. The king's pleasure, the good will of the estates, the admiration of the Swedish people, the esteem of the Swedish army, recognition from my brothers, my own affection for you, are the offerings consecrated to you, and which I lay down upon the altar. Finns and brothers! your achievements are great, and the gratitude which I extend to you in behalf of all is in proportion thereto. Its proper interpretation requires the best efforts of an orator, and I am a soldier. Soldier! what proud distinction to receive that title from you, share it with you and bear it for your sake. Accept, therefore, the thanks of a heart affected with emotion.

And to the Swedish troops assembled on this touching occasion. You are the living witnesses to our motherland's boundless gratitude. Swedes! pride yourselves that you have seen these fragments of the Finnish army. Remember them, honor them; behold their emaciated forms, their pale faces. These are the signs of their faithful, although vain, efforts to liberate their native soil in years gone by.

And now, a closing word to the Finlanders. When you return to your homes tell your nation of the thankfulness of the Swedish people. Bear in mind that though you

return in ragged clothes, with pierced bodies or amputated limbs, you carry with you, nevertheless, the pride of the true soldier. You can never become enemies toward Sweden, your motherland, I am sure, but will remain its friends forever. We shall, from generation to generation, bless you and honor you. One thing I ask of you, that when you approach the battle-fields where we defeated our enemies, and when you see the countless sand-hills which cover our fallen comrades, send up a sigh for blessing over their remains; they died heroes, and honor stands guard over their ashes. You know the vagaries of the human heart, its readiness to adopt an object of affection which it believes it can never forget, yet ere a few weeks have gone by it has made another choice. Time transforms everything, and with its flight all is forgotten. Nevertheless, I assure you, as you also will realize, that the bond of friendship between warriors tried in battle, in danger, in blood and death, can never break. Thus you and I are assured of continual love for each other. Finlanders and brothers, could tears of blood from my eyes seal these words, they would flow in streams, every drop an assurance of my respect and friendship.

[Special translation by Charles E. Hurd.]

DANTON

GEORGE JACQUES DANTON was born at Arcis-sur-Aube in 1759. He began his career as an advocate at the Paris bar. He first appeared on the stage of the Revolution as President of the Cordeliers' Club. In 1790 he urged the people to prevent the arrest of Marat. In 1791 he was elected to the post of Administrator of the Department of Paris. On the day after the fall of the monarchy on the 10th of August, 1792, Danton occupied the post of Minister of Justice. He was a member of the National Convention, to which the Legislative Assembly surrendered its authority, resigning from the Ministry of Justice to take part in its proceedings. He voted for the death of the king in January, 1793. He was one of the original members of the Committee of Public Safety, and was despatched on frequent missions from the Convention to the Republican armies in Belgium. He pressed forward the erection of a system of national education, and was one of the legislative committee charged with the construction of a new system of government. After the fall of the Girondins, Danton was a member of the Committee of Public Safety, when that body was renewed. It was he who proposed that the powers of the committee should be those of a dictator and that copious funds should be placed at its disposal. He then resigned, and during the autumn of 1793 was a powerful supporter and inspirer from without of the government he had been foremost in setting up. On March 30, 1794, Danton was arrested, his enemies having succeeded in winning over Robespierre. He was at once condemned, and died by the guillotine on the 5th of April following. His prediction, made on the scaffold, that Robespierre would soon share his fate was destined to be fulfilled.

TO DARE, TO DARE AGAIN; ALWAYS TO DARE

DELIVERED IN THE NATIONAL ASSEMBLY, SEPTEMBER 2, 1792, ON THE DEFENCE OF THE REPUBLIC

IT SEEMS a satisfaction for the ministers of a free people to announce to them that their country will be saved. All are stirred, all are enthused, all burn to enter the combat.

You know that Verdun is not yet in the power of our

enemies and that its garrison swears to immolate the first who breathes a proposition of surrender.

One portion of our people will guard our frontiers, another will dig and arm the intrenchments, the third with pikes will defend the interior of our cities: Paris will second these great efforts. The commissioners of the Commune will solemnly proclaim to the citizens the invitation to arm and march to the defence of the country. At such a moment you can proclaim that the capital deserves the esteem of all France. At such a moment this National Assembly becomes a veritable committee of war. We ask that you concur with us in directing this sublime movement of the people, by naming commissioners to second and assist all these great measures. We ask that any one refusing to give personal service or to furnish arms shall meet the punishment of death. We ask that proper instructions be given to the citizens to direct their movements. We ask that carriers be sent to all the departments to notify them of the decrees that you proclaim here. The tocsin we shall sound is not the alarm signal of danger, it orders the charge on the enemies of France. (Applause.) To conquer we have need to dare, to dare again, always to dare! And France will be saved!

(Pour les vaincre, il nous faut de l'audace; encore de l'audace, toujours de l'audace; et la France est sauvée.)

REPLY TO THE ACCUSATION THAT HE ASPIRED TO THE DICTATORSHIP

SEPTEMBER 25, 1792

IT is a fine day for the nation, it is a fine day for the French republic, which leads to a fraternal explanation between us. If there are guilty persons, if there exists a perverse man who desires to rule the representatives of the people despotically, his head will fall as soon as he is unmasked. You speak of a dictatorship, of a triumvirate. This imputation must not be vague and indeterminate; whoever has made it must sign it: I would make this imputation myself even if it should cause the head of my best friend to fall. The deputation of Paris taken as a whole must not be blamed; neither shall I try to justify each of its members; I am responsible for no one; I shall only speak to you then of myself.

I am ready to retrace for you the picture of my public life. For three years I have done everything that I believe I ought to do for liberty. During the entire period of my ministry I have employed all the vigor of my character, I have brought into the council all the activity and all the zeal of a citizen inflamed with the love of his country. If there is any one who can accuse me in this respect let him rise and let him speak. There exists, it is true, in the deputation of Paris, a man whose opinions are for the Republican party what those of Royou were for the aristocratic party; it is Marat. Long enough and too long I have been accused of being the author of this man's writings. I call to witness the citizen presiding over you.[1] Your president read the threatening addressed to me by that citizen; he was the witness of an altercation

[1] Petten.

which took place between him and myself at the Mairie. But I attribute these exaggerations to the vexations which this citizen has experienced. I believe that the dungeons in which he has been shut up have ulcerated his soul. It is true that some excellent citizens have been Republicans through excess, it must be admitted; but let us not accuse an entire deputation for a few overzealous individuals. As for me, I do not belong to Paris; I was born in a department towards which I always turn my eyes with a feeling of pleasure; but none of us belongs to such or such a department; he belongs to France as a whole. So let us make this discussion turn to the profit of public interest.

It is incontestable that there must be a vigorous law against those who would like to destroy public liberty. Well! let us pass this law, let us pass a law pronouncing the death penalty against any one who would declare himself in favor of the dictatorship or a triumvirate; but after having placed those bases which guarantee the reign of equality let us annihilate that party spirit which would destroy us. Some pretend that there are among us men who think it would be desirable to divide France; let us do away with these absurd ideas by pronouncing the death penalty against their authors. France should be an indivisible whole. She ought to have unity of representation. The citizens of Marseilles wish to give their hand to the citizens of Dunkerque. I ask then for the death penalty against any one desiring to destroy the unity of France, and I propose to decree that the National Convention place, as a basis of the government she is going to establish, unity of representation and execution. The Austrians will not learn without a shudder of this holy harmony; then I swear to you our enemies are dead.

[Specially translated by Helen B. Dole.]

"LET FRANCE BE FREE, THOUGH MY NAME WERE ACCURSED"

ON THE DISASTERS ON THE FRONTIER—DELIVERED IN CONVENTION, MARCH 10, 1793

THE general considerations that have been presented to you are true; but at this moment it is less necessary to examine the causes of the disasters that have struck us than to apply their remedy rapidly. When the edifice is on fire, I do not join the rascals who would steal the furniture, I extinguish the flames. I tell you therefore you should be convinced by the despatches of Dumouriez that you have not a moment to spare in saving the Republic.

Dumouriez conceived a plan which did honor to his genius. I would render him greater justice and praise than I did recently. But three months ago he announced to the executive power, your General Committee of Defence, that if we were not audacious enough to invade Holland in the middle of winter, to declare instantly against England the war which actually we had long been making, that we would double the difficulties of our campaign, in giving our enemies the time to deploy their forces. Since we failed to recognize this stroke of his genius, we must now repair our faults.

Dumouriez is not discouraged; he is in the middle of Holland, where he will find munitions of war; to overthrow all our enemies, he wants but Frenchmen, and France is filled with citizens. Would we be free? If we no longer desire it, let us perish, for we have all sworn it. If we wish

it, let all march to defend our independence. Your enemies are making their last efforts. Pitt, recognizing he has all to lose, dares spare nothing. Take Holland, and Carthage is destroyed and England can no longer exist but for Liberty! Let Holland be conquered to Liberty; and even the commercial aristocracy itself, which at the moment dominates the English people, would rise against the government which had dragged it into this despotic war against a free people. They would overthrow this ministry of stupidity, who thought the methods of the *ancien regime* could smother the genius of Liberty breathing in France. This ministry once overthrown in the interests of commerce, the party of Liberty would show itself; for it is not dead! And if you know your duties, if your commissioners leave at once, if you extend the hand to the strangers aspiring to destroy all forms of tyranny, France is saved and the world is free.

Expedite, then, your commissioners; sustain them with your energy; let them leave this very night, this very evening.

Let them say to the opulent classes, the aristocracy of Europe must succumb to our efforts, and pay our debt, or you will have to pay it! The people have nothing but blood—they lavish it! Go, then, ingrates, and lavish your wealth! (Wild applause.) See, citizens, the fair destinies that await you. What! you have a whole nation as a lever, its reason as your fulcrum, and you have not yet upturned the world! To do this we need firmness and character, and of a truth we lack it. I put to one side all passions. They are all strangers to me save a passion for the public good.

In the most difficult situations, when the enemy was at the gates of Paris, I said to those governing: "Your dis-

cussions are shameful, I can see but the enemy. (Fresh applause.) "You tire mè by squabbling in place of occupying yourselves with the safety of the Republic! I repudiate you all as traitors to our country! I place you all in the same line!" I said to them: "What care I for my reputation! Let France be free, though my name were accursed!" What care I that I am called "a blood-drinker"! Well, let us drink the blood of the enemies of humanity, if needful; but let us struggle, let us achieve freedom. Some fear the departure of the commissioners may weaken one or the other section of this Convention. Vain fears! Carry your energy everywhere. The pleasantest declaration will be to announce to the people that the terrible debt weighing upon them will be wrested from their enemies or that the rich will shortly have to pay it. The national situation is cruel. The representatives of value are no longer in equilibrium in the circulation. The day of the workingman is lengthened beyond necessity. A great corrective measure is necessary! Conquerors of Holland reanimate in England the Republican party; let us advance France and we shall go glorified to posterity. Achieve these grand destinies; no more debates, no more quarrels, and the fatherland is saved.

AGAINST IMPRISONMENT FOR DEBT

DELIVERED IN CONVENTION, MARCH 9, 1793

BEYOND a doubt, citizens, the hopes of your commissioners will not be deceived. Yes, your enemies, the enemies of liberty, shall be exterminated, for your efforts shall be relentless. You are worthy the dignity of regulating and controlling the nation's energy. Your commissioners, disseminated in all parts of the Republic, will repeat to Frenchmen that the great quarrel between despotism and liberty shall soon terminate. The people of France shall be avenged; it becomes us then to put the political world in harmony, to make laws in accord with such harmony. But before we too deeply entertain these grander objects, I shall ask you to make a declaration of a principle too long ignored; to abolish a baneful error, to destroy the tyranny of wealth upon misery.

If the measures I propose be adopted, then Pitt, the Breteuil of English diplomacy, and Burke, the Abbe Maury of the British Parliament, who are impelling the English people to-day against liberty, may be touched.

What do you ask? You would have every Frenchman armed in the common defence. And yet there is a class of men sullied by no crime, who have stout arms, but no liberty. They are the unfortunates detained for debt. It is a shame for humanity, it is against all philosophy, that a man in receiving money can pawn his person as security. I can readily prove that this principle is favorable to cupidity, since experience proves that the lender takes

no pecuniary security, since he has the disposition of the body of his debtor. But of what importance are these mercantile considerations? They should not influence a great nation. Principles are eternal, and no Frenchman can be rightly deprived of his liberty unless he has forfeited it to society. The possessing and owning class need not be alarmed. Doubtless, some individuals go to extremes, but the nation, always just, will respect all the proprieties. Respect misery, and misery will respect opulence. (Applause.) Never wrong the unfortunate, and the unfortunate, who have more soul than the rich, will remain guiltless. (Loud applause.)

I ask that this National Convention declare that every French citizen imprisoned for debt shall be liberated, because such imprisonment is contrary to moral health, contrary to the rights of man, and to the true principles of liberty.

EDUCATION, FREE AND COMPULSORY

FROM A SPEECH DELIVERED IN THE CONVENTION, AUGUST 13, 1793

CITIZENS—After having given liberty to France; after having vanquished her enemies, there can be no honor greater than to prepare for future generations an education in keeping with that liberty. This is the object which Lepeletier proposes: that all that is good for society shall be adopted by those who live under its social contract. . . . . It has been said that paternal affection opposes the execution of such plans. Certainly we must respect natural rights even in their perversion. But even if we do not fully sustain

compulsory schooling, we must not deprive the children of the poor of an education.

The greatest objection has been that of finding the means; but I have already said there is no real extravagance where the good result to the public is so great, and I add the principle that the child of the poor can be taught at the expense of the superfluities of the scandalous fortunes erected among us. It is to you who are celebrated among our Republicans that I appeal; bring to this subject the fire of your imagination, the energy of your character. It is the people who must endow national education.

When you commence to sow this seed of education in the vast field of the Republic, you must not count the expense of reaping the harvest. After bread, education is the first need of a people. (Applause.) I ask that the question be submitted, that there be founded, at the expense of the nation, establishments where each citizen can have the right to send his children for free public instruction. It is to the monks—it is to the age of Louis XIV., when men were great by their acquirements, that we owe the age of philosophy, that is to say, of reason, brought to the knowledge of the people. To the Jesuits, lost by their political ambitions, we owe an impetus in education evoking our admiration. But the Republic has been in the souls of our people, twenty years ahead of its proclamation. Corneille wrote dedications to Montauron, but Corneille made the "Cid," "Cinna"; Corneille spoke like a Roman, and he who said: "For being more than a king you think you are something," was a true Republican.

Now for public instruction; everything shrinks in domestic teaching, everything enlarges and ennobles in public communal instruction. A mistake is made in presenting a

tableau of paternal affections. I, too, am a father, and more so than the aristocrats who oppose public education, for they are never sure of their paternities. (Laughter.) When I consider my rights relatively to the general good I feel elevated; my son is not mine. He belongs to the Republic. Let her dictate his duties that he can best serve her. It has been said it is repugnant to the heart of our peasantry to make such sacrifice of their children. Well, do not constrain them too much. Let there be classes, if necessary, that only meet on the Sabbath. Begin the system by a gradual adaptation to the manners of the people. If you expect the State to make an instant and absolute regeneration, you will never get public instruction. It is necessary that each man develop the moral means and methods he received from nature. Have for them all communal houses and faculties for instruction, and do not stop at any secondary considerations. The rich man will pay, and will lose nothing if he will profit for the instruction of his son.

I ask, then, that under suitable and necessary modifications you decree the erection of national establishments where children can be instructed, fed, and lodged gratuitously, and the citizens who desire to retain their children at home can send them there for instruction.

Convention, December 12, 1793.—It is a proper time to establish the principle which seems misunderstood, that the youth belong to the Republic before they belong to their parents. No one more than myself respects nature, but of what avail the reasoning of the individual against the reason of the nation? In the national schools the child will suck the milk of Republicanism. The Republic is one and indivisible. Public instruction produces such a

centre of unity. To none, then, can we accord the privilege of isolation from such benefits.

FREEDOM OF WORSHIP

DELIVERED IN THE CONVENTION, APRIL 18, 1793

WE HAVE appeared divided in counsel, but the instant we seek the good of mankind we are in accord. Vergniaud has told us grand and immortal truths. The Constitutional Assembly, embarrassed by a king, by the prejudices which still enchain the nation, and by deep-rooted intolerance, has not uprooted accepted principles, but has done much for liberty in consecrating the doctrine of tolerance. To-day the ground of liberty is prepared and we owe to the French people a government founded on bases pure and eternal! Yes! we shall say to them: Frenchmen you have the right to adore the divinity you deem entitled to your worship: "The liberty of worship, which it is the object of law to establish, means only the right of individuals to assemble to render in their way homage to the Deity." Such a form of liberty is enforcible only by legal regulations and the police, but you do not wish to insert regulating laws in your declaration of rights. The right of freedom of worship, a sacred right, will be protected by laws in harmony with its principles. We will have only to guarantee these rights. Human reason cannot retrograde; we have advanced too far for the people ever to believe they are not absolutely free in religious thought, merely because you have failed to engrave the principle of

this liberty on the table of your laws. If superstition still seem to inhere in the movements of the Republic, it is because our political enemies always employ it. But look! everywhere the people, freed from malevolent espionage, recognize that any one assuming to interpose between them and their God is an impostor.

"SQUEEZING THE SPONGE"

ON TAXING THE RICH—DELIVERED IN THE CONVENTION, APRIL 27, 1793

YOU have decreed "honorable mention" of what has been done for the public benefit by the Department De L'Hevault. In this decree you authorize the whole Republic to adopt the same measures, for your decree ratifies all the acts which have just been brought to your knowledge.

If everywhere the same measures be taken, the Republic is saved. No more shall we treat as agitators and anarchists the ardent friends of liberty who set the nation in motion, but we shall say: "Honor to the agitators who turn the vigor of the people against its enemies!" When the Temple of Liberty shall be reared, the people will know how to decorate it. Rather perish France than to return to our hard slavery. Let it not be believed we shall become barbarians after we shall have founded liberty. We shall embellish France until the despots shall envy us; but while the ship of state is in the stress of storm, beaten by the tempest, that which belongs to each belongs to all.

No longer are Agrarian Laws spoken of! The people

are wiser than their calumniators assumed, and the people in mass have much more sense than many of those who deem themselves great men. In a people we can no more count the great men than we can count the giant trees in the vast forest. It was believed that the people wanted the Agrarian Law, and this may throw suspicion on the measures adopted by the Department De L'Hevault. It will be said of them: "They taxed the rich"; but, citizens, to tax the rich is to serve them. It is rather a veritable advantage for them than any considerable sacrifice; and the greater the sacrifice, the greater the usufruct, for the greater is the guarantee to the foundation of property against the invasion of its enemies. It is an appeal to every man, according to his means, to save the Republic. The appeal is just. What the Department De L'Hevault has done, Paris and all France will do. See what resources France will procure. Paris has a luxury and wealth which is considerable. Well, by decree, this sponge will be squeezed! And with singular satisfaction it will be found that the people will conduct their revolution at the expense of their internal enemies. These enemies themselves will learn the price of liberty and will desire to possess it, when they will recognize that it has preserved for them their possessions.

Paris in making an appeal to capitalists will furnish her contingent, which will afford means to suppress the troubles in La Vendée; for, at any sacrifice, these troubles must be suppressed. On this alone depends your external tranquillity. Already, the departments of the north have informed the combined despots that your territory cannot be divided; and soon you will probably learn of the dissolution of this formidable league of kings. For in unit-

ing against you, they have not forgotten their ancient hatreds and respective pretensions; and if the Executive Council had had a little more latitude, the league might be already completely dissolved.

Paris, then, must be directed against La Vendée. All the men needed in this city to form a reserve camp should be sent at once to La Vendée. These measures once taken, the rebels will disperse, and, like the Austrians, will commence to kill each other. If the flames of this civil discord be extinguished, they will ask of us peace!

ON THE ASSASSINATION OF LEPELETIER DE SAINT-FARGEAN

DELIVERED JANUARY 21, 1793

AT this most terrible moment I notice with satisfaction that the people, whose excesses seem to be feared, has respected the liberty of its representatives who have been most eager in betraying its interests. Where should we be, if one of those who did not wish to vote for the death of the tyrant had perished by the knife of an insane patriot? Surely, calumny, prepared for so long, would make great ravages against us. But, citizens, let us be generous; the life of Lepeletier was beautiful; his death will yet serve the republic. Generous citizen, I envy you your death; it will prove to France that there was no danger among us except for those who burned with the holy love of liberty.

A place in the Pantheon has been asked for him; surely he has already gathered the immortal palm of the martyr of liberty. Yes, I vote too for the Pantheon; yes, I vote for it also. On his tomb we shall swear to serve liberty, not to

leave our post until we have given a constitution to the people, or to die by the dagger of assassins.

It will be sweet for me to prove to you, by explaining in this assembly that I am a stranger to all passions, that I know how to unite to impetuosity of character the stolidity which belongs to a man chosen by the people to make its laws. I have the honor of forming a part of those citizens [pointing to the Mountain] who have been continually presented as enemies of every kind of government. But I implore them not to become exasperated for not having been recognized as the true friends of liberty. Pétion, in my opinion, was wrong; Pétion was weak; I have always believed him so; he can explain himself on my account as he thinks proper. But I confess I am painfully affected to see that all France will no longer know in whom to place any confidence.

I reproach Pétion for not having explained himself clearly enough in regard to those who had served the commonwealth more energetically perhaps than he. Perhaps Pétion could have told you more clearly that those deplorable scenes, those horrible massacres which have been indulged in to such an extent to incense the departments against Paris,— perhaps he ought to have told you clearly that no human power could have stopped the effect of that revolutionary thirst, of that rage which took entire possession of a great people; perhaps some of the members of the extraordinary commission acquainted with these deplorable events could have reminded you also that these terrible acts about which we all groan were the effect of a revolution; and if some individuals can be reproached for having practised acts of vengeance, it was never the immediate action of a few persons, but rather a people who had never had justice for the greatest criminals.

If we had explained ourselves frankly about these frightful events, we should have doubtless have been spared respectively many calumnies, and the republic perhaps many evils.

So I call on you, citizens, you who have seen me in the ministry, to tell me if I have not brought union everywhere. I entreat you, you Pétion, you Brissot, I entreat you all, for I wish to make myself known; I entreat you all because in short I wish to be known. I have had the courage to keep silent for three months, but since I wish to speak about other individuals I must make myself thoroughly known. Well! I submit myself to your judgment. Have I not shown deference to the old man who is now minister of the interior?[1] Have I not told you, do you not agree with me concerning the unfortunate bitterness of his character, at a time when, in the bosom of the republic, it was desirable, it was indispensable, that he who performed in a way the function of consul should be of a character to conciliate minds, should be of a character to try to dispel hatreds at a moment when it was inevitable that so great a commotion would involve great contests? You agreed with me. Well! I reproach you for not having explained this. Roland, whose intentions I do not calumniate, but whose character I am trying to make known: Roland considers as rascals and enemies of the country all who do not caress his thoughts and his opinions. I entreat you, you, my dear fellow citizens, you Lanthenas, whose relations with Roland ought to cause an investigation into this testimony, notice this sentence! Citizens, it is not with calumny that I ask to have this post vacated; it is in accordance with his commensals.

For the welfare of the republic, I ask that Roland shall no longer be minister. Weigh my impartiality well. I

[1] Roland.

appeal to you, citizens, concerning it. I have replied to no calumny. I see that Roland was abused on my account. I desire the safety of the republic, and I know not vengeance, because I have no need of it. I say then that you cannot suspect my declaration when I call upon those even who cherish Roland the most.

Having been exposed to proceedings, fearing that a warrant would be served against him, from that moment Roland saw Paris only in the darkness: he confounded everything then, because he believed he had everything to fear; he thought in his mistake that the great tree of liberty, whose roots hold all the soil of the republic, could be overturned. Then burst forth his resentment against the city of Paris, and it will exist as well as the republic: because Paris is the city of all the departments; Paris is the city of all their lights; all the departments being then there; and this is Roland's great error, the great mistake he made, this is his great fault: it is having conspired, through his hatred, to arouse the departments against Paris. I will remind him of what he accused me. When he spoke to me about the departmental guard, I said to him: "This measure is contrary to all principles, but it will pass; because it is a decided row. Well! This guard will no sooner have taken up its abode in Paris than it will have the mind of the people: because the people have no other passion but for liberty."

Well! citizens, have you the proof now that the federates of the departments have other sentiments than the citizens of Paris; not one of you doubts it now; yes, you do not doubt it yourselves. How many citizens agree that they have been led in error! This error, I say it with regret, comes from Roland's acrimony; you can obtain the proof of it through one of your committees. Roland has circulated writings,

founded at first on the error into which his mind had fallen, that is to say that Paris wished to rule. After that, I will not give my conclusion; but in fixing your attention on all that I have just said, I believe that you will have reached the source of the evil, and, this source being exhausted, you will be able to occupy yourselves efficiently with the welfare of the country.

You have had special measures pointed out to you, that is domiciliary visits. I am wholly opposed to this measure; that is to say, I do not believe, at a time when the French nation is opposed to the application of a bill aimed against the French citizens by the Parliament of England, she ought herself to set the example of a measure against which she rises and which she condemns. I say that there is a way to reach the same end, and this is my idea about it: You should have a committee of supervision, of general safety, worthy of your absolute confidence; it should be fortunate enough to have nothing to fear from its operations. Well! renew it, if you deem it necessary, in order that you may give it a wide latitude, and that, when two thirds of its members believe they hold the thread of a plot, they may have the right to open the doors of any house where they may think a conspirator is concealed. This is the only way to carry out your object without destroying principles.

I will pass on to matters of a superior order. It is not enough to have caused the tyrant's head to fall; there is not a citizen on whom our eyes have rested who does not call all our energy, all our agitation towards war. Let us make war with Europe, and not with ourselves. Grasp my thought: war should be carried on by a people like the French nation in a manner worthy of her. In order to economize the blood of men their sweat is needed. Prodigality is needed. Such

a war carried on parsimoniously would have terminated a great quarrel if waged lavishly.

You will have a report from your commissioners sent to Belgium, from it you will gather the conviction that your armies have done wonders, although in a state of deplorable destitution. Fear nothing in the world: we have seen the French soldiers; there is not one of them who does not believe he is worth more than two hundred slaves. Such is the energy, such is the republicanism of the army that if it should be said to three hundred, You must perish or march against Vienna; they would say, We go to death or Vienna.

With such a people nothing is needed but wise legislators who know how to hold the reins of this sublime nation. Reflect that it is greater than you; reflect that there is no longer a man of genius in a great people; that the true genius is in its entirety in this same people. Well! see to it that you raise the people to the height they ought to attain. Reorganize your armies, for consider that before making a constitution you must have the means of beating your enemy; for people already constitute a nation when they are already conquerors such as we have been in our last campaign.

I will remind you of another subject—that there is another ministry occupied by another good citizen,—it is the ministry of war. But this ministry exceeds human strength, and, if I should explain myself openly, I should say that this citizen, to whom I render justice, has not the push, the quick-sightedness necessary to a man charged with so great operations and so great responsibility. I do not ask to have him robbed of his functions, but I call your attention to the fact that they ought to be divided, in order not to crush the one in charge of them. When you are familiar with the report that we are going to make for you, you will feel that you need the

same movement in the army; that just as only one general is needed to move that great body, so perhaps only one man is needed to conduct the administration which is to furnish means of subsistence to that great mass.

Citizens, prepare your thoughts on these great subjects; they will come up before you incessantly; pay strict attention, above all, to what I have said to you about the minister of the interior; remember, and do not lose sight of what I have represented to you, that if my duty did not compel me to report what I have seen, what the citizens I have quoted have seen, I should be silent, for I am not made to be suspected of resentment. I shall never have but one passion; that is to die for my country. May heaven grant me the fate of the citizen whose loss we deplore!

[Specially translated by Helen B. Dole.]

ON THE ABOLITION OF SLAVERY

16 PLUVIOSE, YEAR II=FEBRUARY 4, 1794

REPRESENTATIVES of the French people, heretofore we have decreed liberty only as egotists and for ourselves. But to-day we proclaim it in the face of the universe, and future generations will find their glory in this decree. We proclaimed universal liberty yesterday, when the President gave the fraternal kiss to the colored deputies. I saw the moment when the Convention ought to decree liberty to our brothers. The meeting was not large enough. The Convention has just done its duty. But after having granted the benefit of liberty, we must be, so to speak, the moderators of it. Let us send to the Committee of Public

Safety and the Colonies, to combine the means of rendering this decree useful to humanity, without any danger to it.

We dishonored our glory by mutilating our works. The great principles developed by the virtuous Las Casas were misunderstood. We are working for future generations; let us send forth liberty into the colonies; to-day the English are dead. By casting liberty into the New World it will bring forth abundant fruit there; it will grow deep roots. Pitt and his accomplices will try in vain by political considerations to prevent the enjoyment of this benefit; they will be brought to nought. France will again assume the rank and influence which her energy, her soil, and her population assure her. We shall take pleasure in our generosity, but we shall not extend it beyond the limits of wisdom. We shall cut down tyrants as we have crushed faithless men who wished to keep back the Revolution. Let us not lose our energy, let us launch our frigates, let us be sure of the benedictions of the universe and of posterity, and let us decree the sending back of measures for the examination of the committee.

[Specially translated by Helen B. Dole.]

WILLIAM PITT

WILLIAM PITT, the second son of Lord Chatham, was born in 1759. He was educated by a private tutor under the paternal roof. It is said that, before the lad had completed his fifteenth year, his knowledge, both of the ancient languages and of mathematics, was such as very few men of eighteen then carried up to college. Toward the close of 1773, he matriculated at Pembroke Hall in the University of Cambridge. In the spring of 1780 he was called to the bar, and in January of the following year entered the House of Commons. His first speech astonished and delighted his hearers. Burke, moved to tears, is said to have exclaimed, "It is not a chip of the old block; it is the old block itself." Pitt entered Parliament as a Whig, and in July, 1782, having scarcely completed his twenty-third year, attained the place of Chancellor of the Exchequer in the Shelburne Cabinet. When Shelburne was forced to resign by the coalition of Fox and North, Pitt became the leader of the Opposition, and when the Lords rejected the India bill introduced by the Whig Government, Pitt was invited by the King to form a Ministry, and to that end he accepted the posts of First Lord of the Treasury and Chancellor of the Exchequer. There was a large adverse majority in the House of Commons, but he made head against it from December, 1783, to March, 1784, when he appealed to the country and gained a decisive victory. Thenceforth until 1801, he was the greatest subject that England had seen during many generations. He domineered absolutely over the Cabinet, and was the favorite at once of the sovereign, of Parliament and of the nation. His father had never been so powerful, nor had Walpole, nor had Marlborough. In the House of Commons he was compelled to face, almost single-handed, such men as Fox, Burke and Sheridan, but he was ranked above them by almost the unanimous judgment of his contemporaries. In 1801 he resigned office on account of the King's refusal to permit him to fulfil the promise, made at the time of the union of Great Britain and Ireland, to relieve Roman Catholics from civil disabilities. In May, 1804, he resumed the post of Premier, but died in January, 1806, having sunk under the news of the battle of Austerlitz. He was in his forty-seventh year, and he had been for nineteen years undisputed chief of the British administration.

AGAINST FRENCH REPUBLICANISM

DELIVERED IN THE HOUSE OF COMMONS JUNE 7, 1793

I WISH, sir, to offer such an explanation on some of the topics dwelt upon by the honorable gentleman who just sat down [Mr. Tierney] as will, I think, satisfy the committee and the honorable gentleman. The nature of the engagement to which the message would pledge the House is simply, that, first, for the purpose of setting the Russian army in motion, we shall advance to that country £225,000—part of it by instalments, to accompany the subsidy to be paid when the army is in actual service. And I believe no one who has been the least attentive to the progress of affairs in the world, who can appreciate worth and admire superior zeal and activity, will doubt the sincerity of the sovereign of Russia, or make a question of his integrity in any compact. The second head of distribution is £75,000 per month, to be paid at the expiration of every succeeding month of service; and lastly, a subsidy of £37,500 to be paid after the war, on the conclusion of a peace by common consent. Now I think it strange that the honorable gentleman should charge us with want of prudence, while it cannot be unknown to him that the principal subsidies are not to be paid until the service has been performed, and that in one remarkable instance the present subsidy differs from every other, inasmuch as a part of it is not to be paid until after the conclusion of a peace by common consent. I think gentlemen would act more consistently if they would openly give their opposition on the principle

that they cannot support the war under any circumstances of the country and of Europe, than in this equivocal and cold manner to embarrass our deliberations and throw obstacles in the way of all vigorous co-operation. There is no reason, no ground to fear that that magnanimous prince will act with infidelity in a cause in which he is so sincerely engaged, and which he knows to be the cause of all good government, of religion, and humanity, against a monstrous medley of tyranny, injustice, vanity, irreligion, and folly. Of such an ally there can be no reason to be jealous; and least of all have the honorable gentlemen opposite me grounds of jealousy, considering the nature and circumstances of our engagements with that monarch. As to the sum itself, I think no man can find fault with it. In fact, it is comparatively small. We take into our pay forty-five thousand of the troops of Russia, and I believe if any gentleman will look to all former subsidies, the result will be, that never was so large a body of men subsidized for so small a sum. This fact cannot be considered without feeling that this magnanimous and powerful prince has undertaken to supply at a very trifling expense a most essential force, and that for the deliverance of Europe. I still must use this phrase, notwithstanding the sneers of the honorable gentlemen. Does it not promise the deliverance of Europe, when we find the armies of our allies rapidly advancing in a career of victory at once the most brilliant and auspicious that perhaps ever signalized the exertions of any combination? Will it be regarded with apathy, that that wise and vigorous and exalted prince has already, by his promptness and decision, given a turn to the affairs of the Continent? Is the House to be called upon to refuse succor to our ally, who,

by his prowess, and the bravery of his arms, has attracted so much of the attention and admiration of Europe?

The honorable gentleman says he wishes for peace, and that he approved more of what I said on this subject toward the close of my speech, than of the opening. Now what I said was, that if by powerfully seconding the efforts of our allies, we could only look for peace with any prospect of realizing our hopes, whatever would enable us to do so promptly and effectually would be true economy. I must, indeed, be much misunderstood, if generally it was not perceived that I meant that whether the period which is to carry us to peace be shorter or longer, what we have to look to is not so much when we make peace, as whether we shall derive from it complete and solid security; and that whatever other nations may do, whether they shall persevere in the contest, or untimely abandon it, we have to look to ourselves for the means of defence, we are to look to the means to secure our Constitution, preserve our character, and maintain our independence, in the virtue and perseverance of the people. There is a high-spirited pride, an elevated loyalty, a generous warmth of heart, a nobleness of spirit, a hearty, manly gayety, which distinguish our nation, in which we are to look for the best pledges of general safety, and of that security against an aggressing usurpation, which other nations in their weakness or in their folly have yet nowhere found. With respect to that which appears so much to embarrass certain gentlemen—the deliverance of Europe—I will not say particularly what it is. Whether it is to be its deliverance from that under which it suffers, or that from which it is in danger; whether from the infection of false principles, the corroding cares of a period of distraction and

dismay, or that dissolution of all governments, and that death of religion and social order which are to signalize the triumph of the French republic, if unfortunately for mankind she should, in spite of all opposition, prevail in the contest—from whichsoever of these Europe is to be delivered, it will not be difficult to prove that what she suffers and what is her danger are the power and existence of the French Government. If any man says that the government is not a tyranny, he miserably mistakes the character of that body. It is an insupportable and odious tyranny, holding within its grasp the lives, the characters, and the fortunes of all who are forced to own its sway, and only holding these that it may at will measure out of each the portion which from time to time it sacrifices to its avarice, its cruelty, and injustice. The French Republic is diked and fenced round with crime, and owes much of its present security to its being regarded with a horror which appals men in their approaches to its impious battlements.

The honorable gentleman says that he does not know whether the emperor of Russia understands what we mean by the deliverance of Europe. I do not think it proper here to dwell much at length on this curious doubt. But whatever may be the meaning which that august personage attaches to our phrase, "the deliverance of Europe," at least he has shown that he is no stranger to the condition of the world; that whatever be the specific object of the contest, he has learned rightly to consider the character of the common enemy, and shows by his public proceedings that he is determined to take measures of more than ordinary precaution against the common disturbers of Europe and the common enemy of man. Will the honorable gen-

tleman continue in his state of doubt? Let him look to the conduct of that prince during what has passed of the present campaign. If in such conduct there be not unfolded some solicitude for the deliverance of Europe from the tyranny of France, I know not, sir, in what we are to look for it. But the honorable gentleman seems to think no alliance can long be preserved against France. I do not deny that unfortunately some of the nations of Europe have shamefully crouched to that power, and receded from the common cause at a moment when it was due to their own dignity, to what they owed to that civilized community of which they are still a part, to persevere in the struggle, to reanimate their legions with that spirit of just detestation and vengeance which such inhumanity and cruelty might so well provoke. I do not say that the powers of Europe have not acted improperly in many other instances; and Russia in her turn; for, during a period of infinite peril to this country, she saw our danger advance upon us, and four different treaties entered into of offensive alliance against us, without comment, and without a single expression of its disapprobation. This was the conduct of that power in former times. The conduct of his present majesty raises quite other emotions, and excites altogether a different interest. His majesty, since his accession, has unequivocally declared his attachment to Great Britain, and, abandoning those projects of ambition which formed the occupation of his predecessor, he chose rather to join in the cause of religion and order against France than to pursue the plan marked out for him to humble and destroy a power which he was taught to consider as his common enemy. He turned aside from all hostility against the Ottoman Porte, and united his

force to the power of that prince the more effectually to check the progress of the common enemy. Will gentlemen then continue to regard with suspicion the conduct of that prince? Has he not sufficiently shown his devotion to the cause in which we are engaged, by the kind, and number, and value of his sacrifices, ultimately to prevail in the struggle against the tyranny which, in changing our point of vision, we everywhere find accompanied in its desolating progress by degradation, misery, and nakedness, to the unhappy victims of its power—a tyranny which has magnified and strengthened its powers to do mischief in the proportion that the legitimate and venerable fabrics of civilised and polished society have declined from the meridian of their glory and lost the power of doing good—a tyranny which strides across the ill-fated domain of France, its foot armed with the scythe of oppression and indiscriminate proscription, that touches only to blight, and rests only to destroy; the reproach and the curse of the infatuated people who still continue to acknowledge it? When we consider that it is against this monster the emperor of Russia has sent down his legions, shall we not say that he is entitled to our confidence?

But what is the constitutional state of the question? It is competent, undoubtedly, for any gentleman to make the character of an ally the subject of consideration; but in this case it is not to the emperor of Russia we vote a subsidy, but to his Majesty. The question, therefore, is, whether his Majesty's government affix any undue object to the message, whether they draw any undue inference from the deliverance of Europe. The honorable gentleman has told us that his deliverance of Europe is the driving of France within her ancient limits—that he is

not indifferent to the restoration of the other states of Europe to independence, as connected with the independence of this country; but it is assumed by the honorable gentleman that we are not content with wishing to drive France within her ancient limits—that, on the contrary, we seek to overthrow the government of France; and he would make us say that we never will treat with it as a republic. Now I neither meant anything like this, nor expressed myself so as to lead to such inferences. Whatever I may in the abstract think of the kind of government called a republic, whatever may be its fitness to the nation where it prevails, there may be times when it would not be dangerous to exist in its vicinity. But while the spirit of France remains what at present it is, its government despotic, vindictive, unjust, with a temper untamed, a character unchanged, if its power to do wrong at all remains, there does not exist any security for this country or Europe. In my view of security, every object of ambition and aggrandizement is abandoned. Our simple object is security, just security, with a little mixture of indemnification. These are the legitimate objects of war at all times; and when we have attained that end, we are in a condition to derive from peace its beneficent advantages; but until then, our duty and our interest require that we should persevere unappalled in the struggle to which we were provoked. We shall not be satisfied with a false security. War, with all its evils, is better than a peace in which there is nothing to be seen but usurpation and injustice, dwelling with savage delight on the humble, prostrate condition of some timid suppliant people. It is not to be dissembled, that in the changes and chances to which the fortunes of individuals, as well as of states, are

continually subject, we may have the misfortune, and great it would be, of seeing our allies decline the contest. I hope this will not happen. I hope it is not reserved for us to behold the mortifying spectacle of two mighty nations abandoning a contest, in which they have sacrificed so much and made such brilliant progress.

In the application of this principle I have no doubt but the honorable gentleman admits the security of the country to be the legitimate object of the contest; and I must think I am sufficiently intelligible on this topic. But wishing to be fully understood, I answer the honorable gentleman when he asks: "Does the right honorable gentleman mean to prosecute the war until the French Republic is overthrown? Is it his determination not to treat with France while it continues a republic?" I answer: I do not confine my views to the territorial limits of France; I contemplate the principles, character, and conduct of France; I consider what these are; I see in them the issues of distraction, of infamy and ruin, to every state in her alliance; and, therefore, I say that until the aspect of that mighty mass of iniquity and folly is entirely changed—until the character of the government is totally reversed—until, by common consent of the general voice of all men, I can with truth tell Parliament, France is no longer terrible for her contempt of the rights of every other nation—she no longer avows schemes of universal empire—she has settled into a state whose government can maintain those relations in their integrity, in which alone civilized communities are to find their security, and from which they are to derive their distinction and their glory—until in the situation of France we have exhibited to us those features of a wise, a just, and a

liberal policy, I cannot treat with her. The time to come to the discussion of a peace can only be the time when you can look with confidence to an honorable issue; to such a peace as shall at once restore to Europe her settled and balanced Constitution of general polity, and to every negotiating power in particular, that weight in the scale of general empire which has ever been found the best guarantee and pledge of local independence and general security. Such are my sentiments. I am not afraid to avow them. I commit them to the thinking part of mankind, and if they have not been poisoned by the stream of French sophistry, and prejudiced by her falsehood, I am sure they will approve of the determination I have avowed for those grave and mature reasons on which I found it. I earnestly pray that all the powers engaged in the contest may think as I do, and particularly the emperor of Russia, which, indeed, I do not doubt; and, therefore, I do contend that with that power it is fit that the House should enter into the engagement recommended in his Majesty's message.

ENGLAND'S SHARE IN THE SLAVE TRADE

FROM A SPEECH IN PARLIAMENT, APRIL 2, 1792

WHY ought the slave trade to be abolished? Because it is incurable injustice! How much stronger, then, is the argument for immediate than gradual abolition! By allowing it to continue even for one hour, do not my right honorable friends weaken—do not they desert their own argument of its injustice? If on the ground of injustice it ought to be abolished at last,

why ought it not now? Why is injustice to be suffered to remain for a single hour? From what I hear without doors, it is evident that there is a general conviction entertained of its being far from just, and from that very conviction of its injustice some men have been led, I fear, to the supposition that the slave trade never could have been permitted to begin, but from some strong and irresistible necessity—a necessity, however, which, if it was fancied to exist at first, I have shown cannot be thought by any man whatever to exist at present. This plea of necessity, thus presumed, and presumed, as I suspect, from the circumstance of injustice itself, has caused a sort of acquiescence in the continuance of this evil. Men have been led to place it in the rank of those necessary evils which are supposed to be the lot of human creatures, and to be permitted to fall upon some countries or individuals, rather than upon others, by that Being whose ways are inscrutable to us, and whose dispensations, it is conceived, we ought not to look into. The origin of evil is, indeed, a subject beyond the reach of the human understanding; and the permission of it by the Supreme Being is a subject into which it belongs not to us to inquire. But where the evil in question is a moral evil which a man can scrutinize, and where that moral evil has its origin with ourselves, let us not imagine that we can clear our consciences by this general, not to say irreligious and impious, way of laying aside the question. If we reflect at all on this subject, we must see that every necessary evil supposes that some other and greater evil would be incurred, were it removed. I therefore desire to ask: What can be that greater evil which can be stated to overbalance the one in question? I know of no evil that ever has existed, nor

can imagine any evil to exist, worse than the tearing of eighty thousand persons annually from their native land, by a combination of the most civilized nations in the most enlightened quarter of the globe—but more especially by that nation which calls herself the most free and the most happy of them all. Even if these miserable beings were proved guilty of every crime before you take them off (of which, however, not a single proof is adduced), ought we to take upon ourselves the office of executioners? And even if we condescend so far, still can we be justified in taking them, unless we have clear proof that they are criminals?

But if we go much further—if we ourselves tempt them to sell their fellow-creatures to us—we may rest assured that they will take care to provide by every method, by kidnapping, by village breaking, by unjust wars, by iniquitous condemnations, by rendering Africa a scene of bloodshed and misery, a supply of victims increasing in proportion to our demand. Can we, then, hesitate in deciding whether the wars in Africa are their wars or ours? It was our arms in the river Cameroon, put into the hands of the trader, that furnished him with the means of pushing his trade; and I have no more doubt that they are British arms, put into the hands of Africans, which promote universal war and desolation, than I can doubt their having done so in that individual instance.

I have shown how great is the enormity of this evil, even on the supposition that we take only convicts and prisoners of war. But take the subject in the other way; take it on the grounds stated by the right honorable gentleman over the way, and how does it stand? Think of

eighty thousand persons carried away out of their country, by we know not what means, for crimes imputed; for light or inconsiderable faults; for debt, perhaps; for the crime of witchcraft; or a thousand other weak and scandalous pretexts! Besides, all the fraud and kidnapping, the villanies and perfidy, by which the slave trade is supplied. Reflect on these eighty thousand persons thus annually taken off! There is something in the horror of it that surpasses all the bounds of imagination. Admitting that there exists in Africa something like to courts of justice, yet what an office of humiliation and meanness is it in us to take upon ourselves to carry into execution the partial, the cruel, iniquitous sentences of such courts, as if we also were strangers to all religion, and to the first principles of justice.

Thus, sir, has the perversion of British commerce carried misery instead of happiness to one whole quarter of the globe. False to the very principles of trade, misguided in our policy, and unmindful of our duty, what astonishing—I had almost said, what irreparable—mischief, have we brought upon that continent! How shall we hope to obtain, if it be possible, forgiveness from Heaven for those enormous evils we have committed, if we refuse to make use of those means which the mercy of Providence hath still reserved to us, for wiping away the guilt and shame with which we are now covered. If we refuse even this degree of compensation—if, knowing the miseries we have caused, we refuse even now to put a stop to them, how greatly aggravated will be the guilt of Great Britain! and what a blot will these transactions forever be in the history of this country! Shall we, then, delay to repair these injuries, and to begin rendering jus-

tice to Africa? Shall we not count the days and hours that are suffered to intervene and to delay the accomplishment of such a work? Reflect what an immense object is before you; what an object for a nation to have in view and to have a prospect, under the favor of Providence, of being now permitted to attain! I think the House will agree with me in cherishing the ardent wish to enter without delay upon the measures necessary for these great ends; and I am sure that the immediate abolition of the slave trade is the first, the principal, the most indispensable act of policy, of duty, and of justice, that the Legislature of this country has to take, if it is, indeed, their wish to secure those important objects to which I have alluded, and which we are bound to pursue by the most solemn obligations.

Having now detained the House so long, all that I will further add shall be on that important subject, the civilization of Africa, which I have already shown that I consider as the leading feature in this question. Grieved am I to think that there should be a single person in this country, much more that there should be a single member in the British Parliament, who can look on the present dark, uncultivated, and uncivilized state of that continent as a ground for continuing the slave trade; as a ground, not only for refusing to attempt the improvement of Africa, but even for hindering and intercepting every ray of light which might otherwise break in upon her, as a ground for refusing to her the common chance and the common means with which other nations have been blessed, of emerging from their native barbarism. . . .

I trust we shall no longer continue this commerce to the destruction of every improvement on that wide con-

tinent, and shall not consider ourselves as conferring too great a boon in restoring its inhabitants to the rank of human beings. I trust we shall not think ourselves too liberal, if, by abolishing the slave trade, we give them the same common chance of civilization with other parts of the world, and that we shall now allow to Africa the opportunity, the hope, the prospect of attaining to the same blessings which we ourselves, through the favorable dispensations of Divine Providence, have been permitted, at a much more early period, to enjoy. If we listen to the voice of reason and duty, and pursue this night the line of conduct which they prescribe, some of us may live to see a reverse of that picture from which we now turn our eyes with shame and regret. We may live to behold the natives of Africa engaged in the calm occupations of industry, in the pursuits of a just and legitimate commerce. We may behold the beams of science and philosophy breaking in upon their land, which at some happy period in still later times may blaze with full lustre, and, joining their influence to that of pure religion, may illuminate and invigorate the most distant extremities of that immense continent. Then may we hope that even Africa, though last of all the quarters of the globe, shall enjoy at length, in the evening of her days, those blessings which have descended so plentifully upon us in a much earlier period of the world. Then, also, will Europe, participating in her improvement and prosperity, receive an ample recompense for the tardy kindness (if kindness it can be called) of no longer hindering that continent from extricating herself out of the darkness which, in other more fortunate regions, has been so much more speedily dispelled.

"——Nos que ubi primus equis oriens afflavit anhelis;
Illic sera rubens accendit lumina vesper."

Then, sir, may be applied to Africa those words, originally used, indeed, with a different view:

"His demum exactis——————
Devenêre locos lætos, et amœna vireta
Fortunatorum nemorum, sedesque beatas;
Largior hic campos Æther et lumine vestit
Purpureo."

It is in this view, sir — it is an atonement for our long and cruel injustice toward Africa, that the measure proposed by my honorable friend most forcibly recommends itself to my mind. The great and happy change to be expected in the state of her inhabitants is, of all the various and important benefits of the abolition, in my estimation, incomparably the most extensive and important.

I shall vote, sir, against the adjournment, and I shall also oppose to the utmost every proposition which in any way may tend either to prevent, or even to postpone for an hour, the total abolition of the slave trade — a measure which, on all the various grounds I have stated, we are bound, by the most pressing and indispensable duty, to adopt.

SPEECH ON REFUSAL TO NEGOTIATE.

[This was the most elaborate oration ever delivered by Mr. Pitt, and as a parliamentary discourse designed at once to inform and inspire it has probably never been surpassed. It was delivered before the House of Commons, February 3, 1800. Of the vast variety of facts brought forward or referred to, very few have ever been disputed; they are arranged in luminous order, and grow out of each other in regular succession; they present a vivid and horrible picture of the miseries inflicted upon Europe by revolutionary France, while the provocations of her enemies are thrown entirely into the background.]

SIR,—I am induced at this period of the debate to offer my sentiments to the House, both from an apprehension that at a later hour the attention of the House must necessarily be exhausted, and because the sentiment

with which the honorable and learned gentleman [Mr. Erskine] began his speech, and with which he has thought proper to conclude it, places the question precisely on that ground on which I am most desirous of discussing it. The learned gentleman seems to assume as the foundation of his reasoning, and as the great argument for immediate treaty, that every effort to overturn the system of the French Revolution must be unavailing; and that it would be not only imprudent, but almost impious to struggle longer against that order of things which on I know not what principle of predestination he appears to consider as immortal.

Little as I am inclined to accede to his opinion, I am not sorry that the honorable gentleman has contemplated the subject in this serious view. I do, indeed, consider the French Revolution is the severest trial which the visitation of Providence has ever yet inflicted upon the nations of the earth; but I cannot help reflecting, with satisfaction, that this country, even under such a trial, has not only been exempted from those calamities which have covered almost every other part of Europe, but appears to have been reserved as a refuge and asylum to those who fled from its persecution, as a barrier to oppose its progress, and perhaps ultimately as an instrument to deliver the world from the crimes and miseries which have attended it.

Under this impression I trust the House will forgive me if I endeavor as far as I am able to take a large and comprehensive view of this important question. In doing so I agree with my honorable friend [Mr. Canning] that it would, in any case, be impossible to separate the present discussion from the former crimes and atrocities of the French Revolution; because both the papers now on the table and the whole of the learned gentleman's argument force upon our

consideration the origin of the war and all the material facts which have occurred during its continuance. The learned gentleman [Mr. Erskine] has revived and retailed all those arguments from his own pamphlet, which had before passed through thirty-seven or thirty-eight editions in print, and now gives them to the House embellished by the graces of his personal delivery.

The First Consul has also thought fit to revive and retail the chief arguments used by all the Opposition speakers and all the Opposition publishers in this country during the last seven years. And (what is still more material) the question itself, which is now immediately at issue — the question whether, under the present circumstances, there is such a prospect of security from any treaty with France as ought to induce us to negotiate, cannot be properly decided upon without retracing, both from our own experience and from that of other nations, the nature, the causes, and the magnitude of the danger against which we have to guard, in order to judge of the security which we ought to accept.

I say, then, that before any man can concur in opinion with that learned gentleman; before any man can think that the substance of his Majesty's answer is any other than the safety of the country required; before any man can be of opinion that, to the overtures made by the enemy at such a time and under such circumstances, it would have been safe to return an answer concurring in the negotiation—he must come within one of the three following descriptions: He must either believe that the French Revolution neither does now exhibit, nor has at any time exhibited such circumstances of danger, arising out of the very nature of the system and the internal state and condition of France, as to leave to foreign powers no adequate ground of security in negotiation;

or, secondly, he must be of opinion that the change which has recently taken place has given that security which, in the former stages of the Revolution was wanting; or, thirdly, he must be one who, believing that the danger exists, not undervaluing its extent nor mistaking its nature, nevertheless thinks, from his view of the present pressure on the country, from his view of its situation and its prospects, compared with the situation and prospects of its enemies, that we are, with our eyes open, bound to accept of inadequate security for everything that is valuable and sacred, rather than endure the pressure or incur the risk which would result from a further prolongation of the contest.

In discussing the last of these questions we shall be led to consider what inference is to be drawn from the circumstances and the result of our own negotiations in former periods of the war; whether, in the comparative state of this country and France, we now see the same reason for repeating our then successful experiments; or whether we have not thence derived the lessons of experience, added to the deductions of reason, marking the inefficacy and danger of the very measures which are quoted to us as precedents for our adoption.

Unwilling, sir, as I am to go into much detail on ground which has been so often trodden before; yet, when I find the learned gentleman, after all the information which he must have received, if he has read any of the answers to his work (however ignorant he might be when he wrote it) still giving the sanction of his authority to the supposition that the order to M. Chauvelin [French minister] to depart from this kingdom was the cause of the war between this country and France, I do feel it necessary to say a few words on that part of the subject.

Inaccuracy in dates seems to be a sort of fatality common to all who have written on that side of the question; for even the writer of the note to his Majesty is not more correct, in this respect, than if he had taken his information only from the pamphlet of the learned gentleman. The House will recollect the first professions of the French republic, which are enumerated, and enumerated truly, in that note. They are tests of everything which would best recommend a government to the esteem and confidence of foreign powers, and the reverse of everything which has been the system and practice of France now for near ten years. It is there stated that their first principles were love of peace, aversion to conquest, and respect for the independence of other countries. In the same note it seems, indeed, admitted that they since have violated all those principles; but it is alleged that they have done so only in consequence of the provocation of other powers.

One of the first of those provocations is stated to have consisted in the various outrages offered to their ministers, of which the example is said to have been set by the king of Great Britain in his conduct to M. Chauvelin. In answer to this supposition it is only necessary to remark that before the example was given, before Austria and Prussia are supposed to have been thus encouraged to combine in a plan for the partition of France, that plan, if it ever existed at all, had existed and been acted upon for above eight months. France and Prussia had been at war eight months before the dismissal of M. Chauvelin. So much for the accuracy of the statement.

I have been hitherto commenting on the arguments contained in the notes. I come now to those of the learned gentleman. I understand him to say that the dismissal of M.

Chauvelin was the real cause, I do not say of the general war, but of the rupture between France and England; and the learned gentleman states particularly that this dismissal rendered all discussions of the points in dispute impossible.

Now I desire to meet distinctly every part of this assertion. I maintain, on the contrary, that an opportunity was given for discussing every matter in dispute between France and Great Britain as fully as if a regular and accredited French minister had been resident here; that the causes of war, which existed at the beginning or arose during the course of this discussion, were such as would have justified, twenty times over, a declaration of war on the part of this country; that all the explanations on the part of France were evidently unsatisfactory and inadmissible, and that M. Chauvelin had given in a peremptory ultimatum, declaring that if these explanations were not received as sufficient, and if we did not immediately disarm, our refusal would be considered as a declaration of war. After this followed that scene which no man can even now speak of without horror, or think of without indignation; that murder and regicide from which I was sorry to hear the learned gentleman date the beginning of the legal government of France.

Having thus given in their ultimatum, they added, as a further demand (while we were smarting under accumulated injuries for which all satisfaction was denied), that we should instantly receive M. Chauvelin as their ambassador, with new credentials, representing them in the character which they had just derived from the murder of their sovereign. We replied, "He came here as the representative of a sovereign whom you have put to a cruel and illegal death; we have no satisfaction for the injuries we have received, no security from the danger with which we are threatened. Under these

circumstances we will not receive your new credentials. The former credentials you have yourselves recalled by the sacrifice of your king."

What, from that moment, was the situation of M. Chauvelin? He was reduced to the situation of a private individual, and was required to quit the kingdom under the provisions of the Alien Act, which, for the purpose of securing domestic tranquillity, had recently invested his Majesty with the power of removing out of this kingdom all foreigners suspected of revolutionary principles. Is it contended that he was then less liable to the provisions of that act than any other individual foreigner whose conduct afforded to government just ground of objection or suspicion? Did his conduct and connections here afford no such ground? or will it be pretended that the bare act of refusing to receive fresh credentials from an infant republic, not then acknowledged by any one power of Europe, and in the very act of heaping upon us injuries and insults, was of itself a cause of war? So far from it, that even the very nations of Europe, whose wisdom and moderation have been repeatedly extolled for maintaining neutrality and preserving friendship with the French republic, remained for years subsequent to this period without receiving from it any accredited minister, or doing any one act to acknowledge its political existence.

In answer to a representation from the belligerent powers, in December, 1793, Count Bernstorff, the minister of Denmark, officially declared that "it was well known that the national convention had appointed M. Grouville minister plenipotentiary at Denmark, but that it was also well known that he had neither been received nor acknowledged in that quality." And as late as February, 1796, when the same minister was at length, for the first time, received in his

official capacity, Count Bernstorff, in a public note, assigned this reason for that change of conduct:

"So long as no other than a revolutionary government existed in France his Majesty could not acknowledge the minister of that government; but now that the French constitution is completely organized, and a regular government established in France, his Majesty's obligation ceases in that respect, and M. Grouville will therefore be acknowledged in the usual form."

How far the court of Denmark was justified in the opinion that a revolutionary government then no longer existed in France it is not now necessary to inquire; but whatever may have been the fact in that respect, the principle on which they acted is clear and intelligible, and is a decisive instance in favor of the proposition which I have maintained.

Is it, then, necessary to examine what were the terms of that ultimatum with which we refused to comply? Acts of hostility had been openly threatened against our allies; a hostility founded upon the assumption of a right which would at once supersede the whole law of nations. The pretended right to open the Scheldt we discussed at the time, not so much on acount of its immediate importance (though it was important both in a maritime and commercial view) as on account of the general principle on which it was founded.

On the same arbitrary notion they soon afterward discovered that sacred law of nature which made the Rhine and the Alps the legitimate boundaries of France, and assumed the power, which they have affected to exercise through the whole of the Revolution, of superseding, by a new code of their own, all the recognized principles of the law of nations.

They were, in fact, actually advancing toward the republic of Holland, by rapid strides, after the victory of Jemappe,

and they had ordered their generals to pursue the Austrian troops into any neutral country, thereby explicitly avowing an intention of invading Holland.

They had already shown their moderation and self-denial, by incorporating Belgium with the French republic. These lovers of peace, who set out with a sworn aversion to conquest, and professions of respect for the independence of other nations; who pretend that they departed from this system only in consequence of your aggression, themselves, in time of peace, while you are still confessedly neutral, without the pretence or shadow of provocation, wrested Savoy from the king of Sardinia, and had proceeded to incorporate it likewise with France.

These were their aggressions at this period, and more than these. They had issued a universal declaration of war against all the thrones of Europe, and they had, by their conduct, applied it particularly and specifically to you. They had passed the decree of the 19th of November, 1792, proclaiming the promise of French succor to all nations who should manifest a wish to become free; they had, by all their language as well as their example, shown what they understood to be freedom; they had sealed their principles by the deposition of their sovereign; they had applied them to England by inviting and encouraging the addresses of those seditious and traitorous societies who, from the beginning, favored their views, and who, encouraged by your forbearance, were even then publicly avowing French doctrines and anticipating their success in this country—who were hailing the progress of those proceedings in France which led to the murder of its king; they were even then looking to the day when they should behold a National Convention in England formed upon similar principles.

And what were the explanations they offered on these different grounds of offence? As to Holland, they told you the Scheldt was too insignificant for you to trouble yourselves about, and therefore it was to be decided as they chose, in breach of positive treaty, which they had themselves guaranteed, and which we, by our alliance, were bound to support. If, however, after the war was over, Belgium should have consolidated its liberty (a term of which we now know the meaning, from the fate of every nation into which the arms of France have penetrated), then Belgium and Holland might, if they pleased, settle the question of the Scheldt by separate negotiations between themselves.

With respect to aggrandizement, they assured us that they would retain possession of Belgium by arms no longer than they should find it necessary to the purpose already stated, of consolidating its liberty. And with respect to the decree of the 19th of November, 1792, applied as it was pointedly to you, by all the intercourse I have stated with all the seditious and traitorous part of this country, and particularly by the speeches of every leading man among them, they contented themselves with asserting that the declaration conveyed no such meaning as was imputed to it, and that, so far from encouraging sedition, it could apply only to countries where a great majority of the people should have already declared itself in favor of a revolution: a supposition which, as they asserted, necessarily implied a total absence of all sedition.

What would have been the effect of admitting this explanation? to suffer a nation, and an armed nation, to preach to the inhabitants of all the countries in the world that they themselves were slaves and their rulers tyrants; to encourage and invite them to revolution by a previous promise of French support to whatever might call itself a majority or to what-

ever France might declare to be so. This was their explanation; and this, they told you, was their ultimatum.

But was this all? Even at that very moment when they were endeavoring to induce you to admit these explanations, to be contented with the avowal that France offered herself as a general guarantee for every successful revolution, and would interfere only to sanction and confirm whatever the free and uninfluenced choice of the people might have decided,
11 what were their orders to their generals on the same subject? In the midst of these amicable explanations with you came forth a decree which I really believe must be effaced from the minds of gentlemen opposite to me if they can prevail upon themselves for a moment to hint even a doubt upon the origin of this quarrel, not only as to this country, but as to all the nations of Europe with whom France has been subsequently engaged in hostility.

I speak of the decree of the 15th of December, 1792. This decree, more even than all the previous transactions, amounted to a universal declaration of war against all thrones and against all civilized governments. It said, wherever the armies of France shall come (whether within countries then at war or at peace is not distinguished), in all those countries it shall be the first care of their generals to introduce the principles and the practice of the French Revolution; to demolish all privileged orders, and everything which obstructs the establishment of their new system.

If any doubt is entertained whither the armies of France were intended to come; if it is contended that they referred only to those nations with whom they were then at war, or with whom, in the course of this contest, they might be driven into war; let it be remembered that at this very moment they had actually given orders to their generals to pursue the

Austrian army from the Netherlands into Holland, with whom they were at that time in peace.

Or, even if the construction contended for is admitted, let us see what would have been its application, let us look at the list of their aggressions, which was read by my right honorable friend [Mr. Dundas] near me. With whom have they been at war since the period of this declaration? With all the nations of Europe save two [Sweden and Denmark], and if not with these two, it is only because, with every provocation that could justify defensive war, those countries have hitherto acquiesced in repeated violations of their rights rather than recur to war for their vindication. Wherever their arms have been carried it will be a matter of short subsequent inquiry to trace whether they have faithfully applied these principles. If in terms this decree is a denunciation of war against all governments; if in practice it has been applied against every one with which France has come into contact; what is it but the deliberate code of the French Revolution, from the birth of the republic, which has never once been departed from, which has been enforced with unremitted rigor against all the nations that have come into their power?

If there could otherwise be any doubt whether the application of this decree was intended to be universal, whether it applied to all nations, and to England particularly; there is one circumstance which alone would be decisive—that nearly at the same period it was proposed [by M. Baraillon], in the National Convention, to declare expressly that the decree of November 19th was confined to the nations with whom they were then at war; and that proposal was rejected by a great majority, by that very Convention from whom we were desired to receive these explanations as satisfactory.

Such, sir, was the nature of the system. Let us examine a little farther, whether it was from the beginning intended to be acted upon in the extent which I have stated. At the very moment when their threats appeared to many little else than the ravings of madmen, they were digesting and methodizing the means of execution as accurately as if they had actually foreseen the extent to which they have since been able to realize their criminal projects.

They sat down coolly to devise the most regular and effectual mode of making the application of this system the current business of the day, and incorporating it with the general orders of their army; for (will the House believe it!) this confirmation of the decree of November 19th was accompanied by an exposition and commentary addressed to the general of every army of France, containing a schedule as coolly conceived, and as methodically reduced, as any by which the most quiet business of a justice of peace, or the most regular routine of any department of state in this country could be conducted.

Each commander was furnished with one general blank formula of a letter for all the nations of the world!

"The people of France to the people of ———, Greeting,
"We are come to expel your tyrants."

Even this was not all; one of the articles of the decree of the 15th of December was expressly—

—"that those who should show themselves so brutish and so enamored of their chains as to refuse the restoration of their rights, to renounce liberty and equality, or to preserve, recall, or treat with their prince or privileged orders, were not entitled to the distinction which France, in other cases, had justly established between government and people; and that such a people ought to be treated according to the rigor of war, and of conquest."

Here is their love of peace; here is their aversion to conquest; here is their respect for the independence of other nations!

It was then, after receiving such explanations as these, after receiving the ultimatum of France, and after M. Chauvelin's credentials had ceased, that he was required to depart. Even at that period, I am almost ashamed to record it, we did not on our part shut the door against other attempts to negotiate, but this transaction was immediately followed by the declaration of war, proceeding, not from England in vindication of her rights, but from France as the completion of the injuries and insults they had offered. And on a war thus originating, can it be doubted by an English House of Commons whether the aggression was on the part of this country or of France? or whether the manifest aggression on the part of France was the result of anything but the principles which characterize the French Revolution?

What, then, are the resources and subterfuges by which those who agree with the learned gentleman are prevented from sinking under the force of this simple statement of facts? None but what are found in the insinuation contained in the note from France, that this country had, previous to the transactions to which I have referred, encouraged and supported the combination of other powers directed against them.

Upon this part of the subject the proofs which contradict such an insinuation are innumerable.

In the first place, the evidence of dates; in the second place, the admission of all the different parties in France; of the friends of Brissot, charging on Robespierre the war with this country, and of the friends of Robespierre charging it on Brissot, but both acquitting England; the testimonies of

the French government during the whole interval, since the declaration of Pilnitz and the pretended treaty of Pavia; the first of which had not the slightest relation to any project of partition or dismemberment; the second of which I firmly believe to be an absolute fabrication and forgery, and in neither of which, even as they are represented, any reason has been assigned for believing that this country had any share.

Even M. Talleyrand himself was sent by the constitutional King of the French, after the period when that concert which is now charged must have existed, if it existed at all, with a letter from the King of France, expressly thanking his Majesty for the neutrality which he had uniformly observed.

The same fact is confirmed by the concurring evidence of every person who knew anything of the plans of the King of Sweden in 1791; the only sovereign who, I believe, at that time meditated any hostile measures against France, and whose utmost hopes were expressly stated to be that England would not oppose his intended expedition; by all those, also, who knew anything of the conduct of the Emperor, or the King of Prussia; by the clear and decisive testimony of M. Chauvelin himself, in his dispatches from hence to the French government, since published by their authority; by everything which has occurred since the war; by the publications of Dumourier; by the publications of Brissot; by the facts that have since come to light in America, with respect to the mission of M. Genet, which show that hostility against this country was decided on by France long before the period when M. Chauvelin was sent from hence; besides this, the reduction of our peace establishment in the year 1791, and continued to the subsequent year, is a fact from which the inference is indisputable; a fact which, I am afraid, shows not

only that we were not waiting for the occasion of war, but that, in our partiality for a pacific system, we had indulged ourselves in a fond and credulous security which wisdom and discretion would not have dictated. In addition to every other proof, it is singular enough that in a decree on the eve of a declaration of war on the part of France it is expressly stated, as for the first time, that England was then departing from that system of neutrality which she had hitherto observed.

But, sir, I will not rest merely on these testimonies or arguments, however strong and decisive. I assert distinctly and positively, and I have the documents in my hand to prove it, that from the middle of the year 1791, upon the first rumor of any measure taken by the Emperor of Germany, and till late in the year 1792, we not only were no parties to any of the projects imputed to the Emperor, but, from the political circumstances in which we stood with relation to that court, we wholly declined all communications with him on the subject of France.

To Prussia, with whom we were in connection, and still more decisively to Holland, with whom we were in close and intimate correspondence, we uniformly stated our unalterable resolution to maintain neutrality, and avoid interference in the internal affairs of France, as long as France should refrain from hostile measures against us and our allies. No minister of England had any authority to treat with foreign states, even provisionally, for any warlike concert, till after the battle of Jemappe; till a period subsequent to the repeated provocations which had been offered to us, and subsequent particularly to the decree of fraternity of the 19th of November; even then, to what object was it that the concert which we wished to establish, was to be directed?

If we had then rightly cast the true character of the French Revolution, I cannot now deny that we should have been better justified in a very different conduct. But it is material to the present argument to declare what that conduct actually was, because it is of itself sufficient to confute all the pretexts by which the advocates of France have so long labored to perplex the question of aggression.

At that period Russia had at length conceived, as well as ourselves, a natural and just alarm for the balance of Europe, and applied to us to learn our sentiments on the subject. In our answer to this application we imparted to Russia the principles upon which we then acted, and we communicated this answer to Prussia, with whom we were connected in defensive alliance. I will state shortly the leading part of those principles. A dispatch was sent from Lord Grenville to his Majesty's minister in Russia, dated the 29th of December, 1792, stating a desire to have an explanation set on foot on the subject of the war with France. I will read the material parts of it.

"The two leading points on which such explanation will naturally turn are the line of conduct to be followed previous to the commencement of hostilities, and with a view, if possible, to avert them; and the nature and amount of the forces which the powers engaged in this concert might be enabled to use, supposing such extremities to be unavoidable.

"With respect to the first, it appears, on the whole, subject, however, to future consideration and discussion with the other powers, that the most advisable step to be taken would be, that sufficient explanation should be had with the powers at war with France, in order to enable those not hitherto engaged in the war to propose to that country terms of peace. That these terms should be the withdrawing their arms within the limits of the French territory; the abandoning their conquests, the rescinding any acts injurious to the sovereignty or rights of any other nations, and the giving, in some public

and unequivocal manner, a pledge of their intention no longer to foment troubles or to excite disturbances against other governments.

"In return for these stipulations the different powers of Europe who should be parties to this measure might engage to abandon all measures or views of hostility against France, or interference in their internal affairs, and to maintain a correspondence and intercourse of amity with the existing powers in that country, with whom such a treaty may be concluded.

"If, as the result of this proposal so made by the powers act to abandon all measures or views of hostility against France, or, being accepted, should not be satisfactorily performed, the different powers might then engage themselves to each other to enter into active measures for the purpose of obtaining the ends in view; and it may be considered whether, in such case, they might not reasonably look to some indemnity for the expenses and hazards to which they would necessarily be exposed."

The dispatch then proceeded to the second point, that of the forces to be employed, on which it is unnecessary now to speak.

Now, sir, I would really ask any person who has been from the beginning the most desirous of avoiding hostilities, whether it is possible to conceive any measures to be adopted in the situation in which we then stood which could more evidently demonstrate our desire, after repeated provocations, to preserve peace on any terms consistent with our safety; or whether any sentiment could now be suggested which would have more plainly marked our moderation, forbearance and sincerity? In saying this I am not challenging the applause and approbation of my country, because I must now confess that we were too slow in anticipating that danger of which we had, perhaps, even then sufficient experience, though far short, indeed, of that which we now possess, and that we might even then have seen, what facts have since but too in-

contestably proved, that nothing but vigorous and open hostility can afford complete and adequate security against revolutionary principles, while they retain a proportion of power sufficient to furnish the means of war.

I will enlarge no further on the origin of the war. I have read and detailed to you a system which was in itself a declaration of war against all nations, which was so intended, and which has been so applied, which has been exemplified in the extreme peril and hazard of almost all who for a moment have trusted to treaty, and which has not at this hour overwhelmed Europe in one indiscriminate mass of ruin, only because we have not indulged, to a fatal extremity, that disposition which we have, however, indulged too far; because we have not consented to trust to profession and compromise, rather than to our own valor and exertion, for security against a system from which we never shall be delivered till either the principle is extinguished or its strength is exhausted.

I might, sir, if I found it necessary, enter into much detail upon this part of the subject; but at present I only beg leave to express my readiness at any time to enter upon it when either my own strength or the patience of the House will admit of it; but I say, without distinction, against every nation in Europe, and against some out of Europe, the principle has been faithfully applied. You cannot look at the map of Europe and lay your hand upon that country against which France has not either declared an open and aggressive war, or violated some positive treaty, or broken some recognized principle of the law of nations.

This subject may be divided into various periods. There were some acts of hostility committed previous to the war with this country, and very little, indeed, subsequent to that declaration, which abjured the love of conquest. The attack

upon the papal state, by the seizure of Avignon, in 1791, was accompanied with specimens of all the vile arts and perfidy that ever disgraced a revolution. Avignon was separated from its lawful sovereign, with whom not even the pretence of quarrel existed, and forcibly incorporated in the tyranny of one and indivisible France. The same system led, in the same year, to an aggression against the whole German empire, by the seizure of Porentrui, part of the dominions of the bishop of Basle.

Afterward, in 1792, unpreceded by any declaration of war or any cause of hostility, and in direct violation of the solemn pledge to abstain from conquest, they made war against the king of Sardinia, by the seizure of Savoy, for the purpose of incorporating it in like manner with France. In the same year they had proceeded to the declaration of war against Austria, against Prussia, and against the German empire, in which they have been justified only on the ground of a rooted hostility, combination, and league of sovereigns for the dismemberment of France.

I say that some of the documents brought to support this defence are spurious and false.

I say that even in those that are not so there is not one word to prove the charge principally relied upon, that of an intention to effect the dismemberment of France or to impose upon it, by force, any particular constitution. I say that, as far as we have been able to trace what passed at Pilnitz, the declaration there signed referred to the imprisonment of Louis XVI; its immediate view was to effect his deliverance if a concert sufficiently extensive could be formed with other sovereigns for that purpose. It left the internal state of France to be decided by the king restored to his liberty, with the free consent of the states of his kingdom, and

it did not contain one word relative to the dismemberment of France.

In the subsequent discussions which took place in 1792, and which embraced at the same time all the other points of jealousy which had arisen between the two countries, the declaration of Pilnitz was referred to, and explained on the part of Austria in a manner precisely conformable to what I have now stated. The amicable explanations which took place, both on this subject and on all the matters in dispute, will be found in the official correspondence between the two courts, which has been made public; and it will be found, also, that as long as the negotiation continued to be conducted through M. Delessart, then minister for foreign affairs, there was a great prospect that those discussions would be amicably terminated; but it is notorious, and has since been clearly proved on the authority of Brissot himself, that the violent party in France considered such an issue of the negotiation as likely to be fatal to their projects, and thought, to use his own words, that "war was necessary to consolidate the Revolution."

For the express purpose of producing the war they excited a popular tumult in Paris; they insisted upon and obtained the dismissal of M. Delessart. A new minister was appointed in his room; the tone of the negotiation was immediately changed, and an ultimatum was sent to the Emperor, similar to that which was afterward sent to this country, affording him no satisfaction on his just grounds of complaint, and requiring him, under those circumstances, to disarm. The first events of the contest proved how much more France was prepared for war than Austria, and afford a strong confirmation of the proposition which I maintain, that no offensive intention was entertained on the part of the latter power.

War was then declared against Austria, a war which I state to be a war of aggression on the part of France. The king of Prussia had declared that he should consider war against the Emperor or empire as war against himself. He had declared that as a co-estate of the empire he was determined to defend their rights; that as an ally to the Emperor he would support him to the utmost against any attack; and that for the sake of his own dominions he felt himself called upon to resist the progress of French principles and to maintain the balance of power in Europe. With this notice before them, France declared war upon the Emperor, and the war with Prussia was the necessary consequence of this aggression, both against the Emperor and the empire.

The war against the king of Sardinia follows next. The declaration of that war was the seizure of Savoy by an invading army—and on what ground? On that which has been stated already. They had found out, by some light of nature, that the Rhine and the Alps were the natural limits of France. Upon that ground Savoy was seized; and Savoy was also incorporated with France.

Here finishes the history of the wars in which France was engaged antecedent to the war with Great Britain, with Holland, and with Spain. With respect to Spain, we have seen nothing which leads us to suspect that either attachment to religion, or the ties of consanguinity, or regard to the ancient system of Europe, was likely to induce that court to connect itself in offensive war against France. The war was evidently and incontestably begun by France against Spain.

The case of Holland is so fresh in every man's recollection, and so connected with the immediate causes of the war with this country, that it cannot require one word of observation. What shall I say, then, on the case of Portugal? I cannot,

indeed, say that France ever declared war against that country. I can hardly say even that she ever made war, but she required them to make a treaty of peace as if they had been at war; she obliged them to purchase that treaty; she broke it as soon as it was purchased; and she had originally no other ground of complaint than this, that Portugal had performed, though inadequately, the engagements of its ancient defensive alliance with this country in the character of an auxiliary —a conduct which cannot of itself make any power a principal in a war.

I have now enumerated all the nations at war at that period, with the exception only of Naples. It can hardly be necessary to call to the recollection of the House the characteristic feature of revolutionary principles which was shown, even at this early period, in the personal insult offered to the king of Naples by the commander of a French squadron riding uncontrolled in the Mediterranean, and (while our fleets were yet unarmed) threatening destruction to all the coast of Italy.

It was not till a considerably later period that almost all the other nations of Europe found themselves equally involved in actual hostility; but it is not a little material to the whole of my argument, compared with the statement of the learned gentleman and with that contained in the French note, to examine at what period this hostility extended itself. It extended itself, in the course of 1796, to the states of Italy which had hitherto been exempted from it. In 1797 it had ended in the destruction of most of them; it had ended in the virtual deposition of the king of Sardinia; it had ended in the conversion of Genoa and Tuscany into democratic republics; it had ended in the revolution of Venice, in the violation of treaties with the new Venetian

republic; and, finally, in transferring that very republic, the creature and vassal of France, to the dominion of Austria.

I observe from the gestures of some honorable gentlemen that they think we are precluded from the use of any argument founded on this last transaction. I already hear them saying that it was as criminal in Austria to receive as it was in France to give. I am far from defending or palliating the conduct of Austria upon this occasion. But because Austria, unable at last to contend with the arms of France, was forced to accept an unjust and insufficient indemnification for the conquests France had made from it, are we to be debarred from stating what, on the part of France, was not merely an unjust acquisition, but an act of the grossest and most aggravated perfidy and cruelty, and one of the most striking specimens of that system which has been uniformly and indiscriminately applied to all the countries which France has had within its grasp?

This only can be said in vindication of France (and it is still more a vindication of Austria), that, practically speaking, if there is any part of this transaction for which Venice itself has reason to be grateful, it can only be for the permission to exchange the embraces of French fraternity for what is called the despotism of Vienna.

Let these facts and these dates be compared with what we have heard. The honorable gentleman has told us, and the author of the note from France has told us also, that all the French conquests were produced by the operations of the allies. It was when they were pressed on all sides, when their own territory was in danger, when their own independence was in question, when the confederacy appeared too strong, it was then they used the means with which their

power and their courage furnished them, and, "attacked upon all sides, they carried everywhere their defensive arms."

I do not wish to misrepresent the learned gentleman, but I understood him to speak of this sentiment with approbation. The sentiment itself is this, that if a nation is unjustly attacked in any one quarter by others, she cannot stop to consider by whom, but must find means of strength in other quarters, no matter where; and is justified in attacking, in her turn, those with whom she is at peace, and from whom she has received no species of provocation.

Sir, I hope I have already proved, in a great measure, that no such attack was made upon France; but, if it was made, I maintain that the whole ground on which that argument is founded cannot be tolerated. In the name of the laws of nature and nations, in the name of everything that is sacred and honorable, I demur to that plea; and I tell that honorable and learned gentleman that he would do well to look again into the law of nations before he ventures to come to this House to give the sanction of his authority to so dreadful and execrable a system.

I certainly understood this to be distinctly the tenor of the learned gentleman's argument, but as he tells me he did not use it, I take it for granted he did not intend to use it. I rejoice that he did not; but at least, then, I have a right to expect that the learned gentleman should now transfer to the French note some of the indignation which he has hitherto lavished upon the declarations of this country.

This principle, which the learned gentleman disclaims, the French note avows; and I contend, without the fear of contradiction, it is the principle upon which France has uniformly acted. But while the learned gentleman disclaims this proposition, he certainly will admit that he has himself

asserted, and maintained in the whole course of his argument, that the pressure of the war upon France imposed upon her the necessity of those exertions which produced most of the enormities of the revolution, and most of the enormities practised against the other countries of Europe. The House will recollect that in the year 1796, when all these horrors in Italy were beginning, which are the strongest illustrations of the general character of the French revolution, we had begun that negotiation to which the learned gentleman has referred.

England then possessed numerous conquests. England, though not having at that time had the advantage of three of her most splendid victories, England even then appeared undisputed mistress of the sea.

England, having then engrossed the whole wealth of the colonial world; England, having lost nothing of its original possessions; England then comes forward, proposing a general peace, and offering—what? offering the surrender of all that it had acquired, in order to obtain—what? Not the dismemberment, not the partition of ancient France, but the return of a part of those conquests, no one of which could be retained, but in direct contradiction to that original and solemn pledge which is now referred to as the proof of the just and moderate disposition of the French republic. Yet even this offer was not sufficient to procure peace or to arrest the progress of France in her defensive operations against other unoffending countries!

From the pages, however, of the learned gentleman's pamphlet (which, after all its editions, is now fresher in his memory than in that of any other person in this House or in the country), he is furnished with an argument, on the result of the negotiations, on which he appears confidently to rely. He maintains that the single point on which the negotiation

was broken off was the question of the possession of the Austrian Netherlands, and that it is therefore on that ground only that the war has, since that time, been continued.

When this subject was before under discussion, I stated, and I shall state again (notwithstanding the learned gentleman's accusation of my having endeavored to shift the question from its true point), that the question then at issue was not whether the Netherlands should in fact be restored; though even on that question I am not (like the learned gentleman) unprepared to give any opinion. I am ready to say that to leave that territory in the possession of France would be obviously dangerous to the interests of this country, and is inconsistent with the policy which it has uniformly pursued at every period in which it has concerned itself in the general system of the Continent.

But it was not on the decision of this question of expediency and policy that the issue of the negotiation then turned. What was required of us by France was, not merely that we should acquiesce in her retaining the Netherlands, but that, as a preliminary to all treaty, and before entering upon the discussion of terms, we should recognize the principle that whatever France, in time of war, had annexed to the republic must remain inseparable forever, and could not become the subject of negotiation.

I say that in refusing such a preliminary we were only resisting the claim of France to arrogate to itself the power of controlling, by its own separate and municipal acts, the rights and interests of other countries, and molding, at its discretion, a new and general code of the law of nations.

In reviewing the issue of this negotiation, it is important to observe that France, who began by abjuring a love of conquest, was desired to give up nothing of her own, not even to

give up all that she had conquered; that it was offered to her to receive back all that had been conquered from her; and when she rejected the negotiation for peace upon these grounds, are we then to be told of the unrelenting hostility of the combined powers, for which France was to revenge itself upon other countries, and which is to justify the subversion of every established government, and the destruction of property, religion, and domestic comfort from one end of Italy to the other? Such was the effect of the war against Modena, against Genoa, against Tuscany, against Venice, against Rome, and against Naples, all of which she engaged in, or prosecuted, subsequent to this very period.

After this, in the year 1797, Austria had made peace; England and its ally, Portugal (from whom we could expect little active assistance, but whom we felt it our duty to defend), alone remained in the war. In that situation, under the pressure of necessity, which I shall not disguise, we made another attempt to negotiate. In 1797, Prussia, Spain, Austria, Naples, having successively made peace, the princes of Italy having been destroyed, France having surrounded itself, in almost every part in which it is not surrounded by the sea, with revolutionary republics, England made another offer of a different nature. It was not now a demand that France should restore anything.

Austria having made a peace upon her own terms, England had nothing to require with regard to her allies, she asked no restitution of the dominions added to France in Europe. So far from retaining anything French out of Europe, we freely offered them all, demanding only, as a poor compensation, to retain a part of what we had acquired by arms from Holland, then identified with France. This proposal also, sir, was proudly refused, in a way which the learned gentle-

man himself has not attempted to justify, indeed of which he has spoken with detestation. I wish, since he has not finally abjured his duty in this House, that that detestation had been stated earlier; that he had mixed his own voice with the general voice of his country on the result of that negotiation.

Let us look at the conduct of France immediately subsequent to this period. She had spurned the offers of Great Britain; she had reduced her Continental enemies to the necessity of accepting a precarious peace; she had (in spite of those pledges repeatedly made and uniformly violated) surrounded herself by new conquests on every part of her frontier but one. That one was Switzerland. The first effect of being relieved from the war with Austria, of being secured against all fears of Continental invasion on the ancient territory of France, was their unprovoked attack against this unoffending and devoted country.

This was one of the scenes which satisfied even those who were the most incredulous that France had thrown off the mask, "if indeed she had ever worn it." It collected, in one view, many of the characteristic features of that revolutionary system which I have endeavored to trace—the perfidy which alone rendered their arms successful—the pretexts of which they availed themselves to produce division and prepare the entrance of Jacobinism in that country—the proposal of armistice, one of the known and regular engines of the revolution, which was, as usual, the immediate prelude to military execution, attended with cruelty and barbarity of which there are few examples.

All these are known to the world. The country they attacked was one which had long been the faithful ally of France, which, instead of giving cause of jealousy to any

other power, had been for ages proverbial for the simplicity and innocence of its manners, and which had acquired and preserved the esteem of all the nations of Europe; which had almost, by the common consent of mankind, been exempted from the sound of war, and marked out as a land of Goshen, safe and untouched in the midst of surrounding calamities.

Look, then, at the fate of Switzerland, at the circumstances which led to its destruction. Add this instance to the catalogue of aggression against all Europe, and then tell me whether the system I have described has not been prosecuted with an unrelenting spirit which cannot be subdued in adversity, which cannot be appeased in prosperity, which neither solemn professions, nor the general law of nations, nor the obligation of treaties (whether previous to the revolution or subsequent to it), could restrain from the subversion of every state into which, either by force or fraud, their arms could penetrate.

Then tell me, whether the disasters of Europe are to be charged upon the provocation of this country and its allies, or on the inherent principle of the French revolution, of which the natural result produced so much misery and carnage in France and carried desolation and terror over so large a portion of the world.

Sir, much as I have now stated, I have not finished the catalogue. America, almost as much as Switzerland, perhaps, contributed to that change which has taken place in the minds of those who were originally partial to the principles of the French government. The hostility against America followed a long course of neutrality adhered to under the strongest provocations, or rather of repeated compliances to France, with which we might well have been dissatisfied. It was on the face of it unjust and wanton; and it was accompanied

by those instances of sordid corruption which shocked and disgusted even the enthusiastic admirers of revolutionary purity and threw a new light on the genius of revolutionary government.

After this, it remains only shortly to remind gentlemen of the aggression against Egypt, not omitting, however, to notice the capture of Malta in the way to Egypt. Inconsiderable as that island may be thought, compared with the scenes we have witnessed, let it be remembered that it is an island of which the government had long been recognized by every state of Europe, against which France pretended no cause of war, and whose independence was as dear to itself and as sacred as that of any country in Europe. It was in fact not unimportant, from its local situation to the other powers of Europe; but in proportion as any man may diminish its importance the instance will only serve the more to illustrate and confirm the proposition which I have maintained.

The all-searching eye of the French Revolution looks to every part of Europe and every quarter of the world in which can be found an object either of acquisition or plunder. Nothing is too great for the temerity of its ambition, nothing too small or insignificant for the grasp of its rapacity. From hence Bonaparte and his army proceeded to Egypt.

The attack was made, pretences were held out to the natives of that country in the name of the French king whom they had murdered. They pretended to have the approbation of the Grand Seignior whose territory they were violating; their project was carried on under the profession of a zeal for Mohammedanism; it was carried on by proclaiming that France had been reconciled to the Mussulman faith, had abjured that of Christianity, or, as he in his impious language termed it, of the sect of the Messiah.

The only plea which they have since held out to color this atrocious invasion of a neutral and friendly territory is that it was the road to attack the English power in India. It is most unquestionably true that this was one and a principal cause of this unparalleled outrage; but another and an equally substantial cause (as appears by their own statements) was the division and partition of the territories of what they thought a falling power. It is impossible to dismiss this subject without observing that this attack against Egypt was accompanied by an attack upon the British possessions in India, made on true revolutionary principles. In Europe the propagation of the principles of France had uniformly prepared the way for the progress of its arms.

To India the lovers of peace had sent the messengers of Jacobinism for the purpose of inculcating war in those distant regions on Jacobin principles, and of forming Jacobin clubs, which they actually succeeded in establishing, and which in most respects resembled the European model, but which were distinguished by this peculiarity, that they were required to swear in one breath hatred to tyranny, the love of liberty, and the destruction of all kings and sovereigns, except the good and faithful ally of the French republic, Citizen Tippoo.

What, then, was the nature of this system? Was it anything but what I have stated it to be—an insatiable love of aggrandizement, an implacable spirit of destruction against all the civil and religious institutions of every country? This is the first moving and acting spirit of the French Revolution; this is the spirit which animated it at its birth, and this is the spirit which will not desert it till the moment of its dissolution, "which grew with its growth, which strengthened with its strength," but which has not abated under its mis-

fortunes nor declined in its decay. It has been invariably the same in every period, operating more or less, according as accident or circumstances might assist it; but it has been inherent in the revolution in all its stages; it has equally belonged to Brissot, to Robespierre, to Tallien, to Reubel, to Barras, and to every one of the leaders of the Directory, but to none more than to Bonaparte, in whom now all their powers are united.

What are its characters? Can it be accident that produced them? No, it is only from the alliance of the most horrid principles, with the most horrid means, that such miseries could have been brought upon Europe. It is this paradox which we must always keep in mind when we are discussing any question relative to the effects of the French Revolution. Groaning under every degree of misery, the victim of his own crimes, and as I once before expressed in this House, asking pardon of God and of man for the miseries which it has brought upon itself and others, France still retains (while it has left neither means of comfort nor almost of subsistence to its own inhabitants) new and unexampled means of annoyance and destruction against all the other powers of Europe.

Its first fundamental principle was to bribe the poor against the rich, by proposing to transfer into new hands, on the delusive notion of equality, and in breach of every principle of justice, the whole property of the country. The practical application of this principle was to devote the whole of that property to indiscriminate plunder, and to make it the foundation of a revolutionary system of finance, productive in proportion to the misery and desolation which it created.

It has been accompanied by an unwearied spirit of pro-

selytism, diffusing itself over all the nations of the earth: a spirit which can apply itself to all circumstances and all situations, which can furnish a list of grievances and hold out a promise of redress equally to all nations; which inspired the teachers of French liberty with the hope of alike recommending themselves to those who live under the feudal code of the German empire; to the various states of Italy, under all their different institutions; to the old republicans of Holland, and to the new republicans of America; to the Catholic of Ireland, whom it was to deliver from Protestant usurpation; to the Protestant of Switzerland, whom it was to deliver from popish superstition; and to the Mussulman of Egypt, whom it was to deliver from Christian persecution; to the remote Indian, blindly bigoted to his ancient institutions; and to the natives of Great Britain, enjoying the perfection of practical freedom, and justly attached to their constitution, from the joint result of habit, of reason, and of experience.

The last and distinguishing feature is a perfidy which nothing can bind, which no tie of treaty, no sense of the principles generally received among nations, no obligation, human or divine, can restrain. Thus qualified, thus armed for destruction, the genius of the French Revolution marched forth, the terror and dismay of the world. Every nation has in its turn been the witness, many have been the victims of its principles; and it is left for us to decide whether we will compromise with such a danger while we have yet resources to supply the sinews of war, while the heart and spirit of the country is yet unbroken, and while we have the means of calling forth and supporting a powerful co-operation in Europe.

Much more might be said on this part of the subject; but

if what I have said already is a faithful, though only an imperfect, sketch of those excesses and outrages which even history itself will hereafter be unable fully to represent and record, and a just representation of the principle and source from which they originated, will any man say that we ought to accept a precarious security against so tremendous a danger? Much more—will he pretend, after the experience of all that has passed in the different stages of the French Revolution, that we ought to be deterred from probing this great question to the bottom, and from examining, without ceremony or disguise, whether the change which has recently taken place in France is sufficient now to give security, not against a common danger, but against such a danger as that which I have described?

In examining this part of the subject let it be remembered that there is one other characteristic of the French Revolution as striking as its dreadful and destructive principles: I mean the instability of its government, which has been of itself sufficient to destroy all reliance, if any such reliance could at any time have been placed on the good faith of any of its rulers. Such has been the incredible rapidity with which the revolutions in France have succeeded each other, that I believe the names of those who have successively exercised absolute power under the pretense of liberty are to be numbered by the years of the revolution, and by each of the new constitutions, which, under the same pretense, has in its turn been imposed by force on France: all of which alike were founded upon principles which professed to be universal, and was intended to be established and perpetuated among all the nations of the earth. Each of these will be found, upon an average, to have had about two years as the period of its duration.

Under this revolutionary system, accompanied with this perpetual fluctuation and change, both in the form of the government and in the persons of the rulers, what is the security which has hitherto existed, and what new security is now offered? Before an answer is given to this question, let me sum up the history of all the revolutionary governments of France, and of their characters in relation to other powers, in words more emphatical than any which I could use—the memorable words pronounced on the eve of this last constitution by the orator who was selected to report to an assembly, surrounded by a file of grenadiers, the new form of liberty which it was destined to enjoy under the auspices of General Bonaparte. From this reporter, the mouth and organ of the new government, we learn this important lesson:

"It is easy to conceive why peace was not concluded before the establishment of the constitutional government. The only government which then existed described itself as revolutionary; it was, in fact, only the tyranny of a few men who were soon overthrown by others, and it consequently presented no stability of principles or of views, no security either with respect to men or with respect to things.

"It should seem that that stability and that security ought to have existed from the establishment and as the effect of the constitutional system; and yet they did not exist more, perhaps even less, than they had done before. In truth we did make some partial treaties; we signed a Continental peace, and a general congress was held to confirm it; but these treaties, these diplomatic conferences, appear to have been the source of a new war more inveterate and more bloody than before.

"Before the 18th Fructidor (4th September) of the fifth year, the French government exhibited to foreign nations so uncertain an existence that they refused to treat with it. After this great event the whole power was absorbed in the Directory; the legislative body can hardly be said to have existed; treaties of peace were broken, and war carried every-

where, without that body having any share in those measures. The same Directory, after having intimidated all Europe, and destroyed, at its pleasure, several governments, neither knowing how to make peace or war, or how even to establish itself, was overturned by a breath on the 13th Prairial (18th June), to make room for other men, influenced perhaps by different views, or who might be governed by different principles.

"Judging, then, only from notorious facts, the French government must be considered as exhibiting nothing fixed, neither in respect to men nor to things."

Here, then, is the picture, down to the period of the last revolution, of the state of France under all its successive governments!

Having taken a view of what it was, let us now examine what it is. In the first place we see, as has been truly stated, a change in the description and form of the sovereign authority. A supreme power is placed at the head of this nominal republic, with a more open avowal of military despotism than at any former period; with a more open and undisguised abandonment of the names and pretences under which that despotism long attempted to conceal itself. The different institutions, republican in their form and appearance, which were before the instruments of that despotism, are now annihilated; they have given way to the absolute power of one man, concentrating in himself all the authority of the state, and differing from other monarchs only in this, that (as my honorable friend, Mr. Canning, truly stated it) he wields a sword instead of a sceptre. What, then, is the confidence we are to derive either from the frame of the government or from the character and past conduct of the person who is now the absolute ruler of France?

Had we seen a man of whom we had no previous knowledge suddenly invested with the sovereign authority of the

country; invested with the power of taxation, with the power of the sword, the power of war and peace, the unlimited power of commanding the resources, of disposing of the lives and fortunes of every man in France; if we had seen at the same moment all the inferior machinery of the revolution, which, under the variety of successive shocks, had kept the system in motion, still remaining entire, all that, by requisition and plunder, had given activity to the revolutionary system of finance, and had furnished the means of creating an army, by converting every man who was of age to bear arms into a soldier, not for the defence of his own country, but for the sake of carrying the war into the country of the enemy; if we had seen all the subordinate instruments of Jacobin power subsisting in their full force, and retaining (to use the French phrase) all their original organization; and had then observed this single change in the conduct of their affairs that there was now one man, with no rival to thwart his measures, no colleague to divide his powers, no council to control his operations, no liberty of speaking or writing, no expression of public opinion to check or influence his conduct; under such circumstances should we be wrong to pause, or wait for the evidence of facts and experience, before we consented to trust our safety to the forbearance of a single man, in such a situation, and to relinquish those means of defence which have hitherto carried us safe through all the storms of the revolution? if we were to ask what are the principles and character of this stranger to whom fortune has suddenly committed the concerns of a great and powerful nation?

But is this the actual state of the present question? Are we talking of a stranger of whom we have heard nothing? No, sir; we have heard of him; we, and Europe, and the

world, have heard both of him and of the satellites by whom he is surrounded, and it is impossible to discuss fairly the propriety of any answer which could be returned to his overtures of negotiation without taking into consideration the inferences to be drawn from his personal character and conduct.

I know it is the fashion with some gentlemen to represent any reference to topics of this nature as invidious and irritating; but the truth is that they rise unavoidably out of the very nature of the question. Would it have been possible for ministers to discharge their duty, in offering their advice to their sovereign, either for accepting or declining negotiations, without taking into their account the reliance to be placed on the disposition and the principles of the person on whose disposition and principles the security to be obtained by treaty must, in the present circumstances, principally depend? Or would they act honestly or candidly toward Parliament and toward the country if, having been guided by these considerations, they forbore to state, publicly and distinctly, the real grounds which have influenced their decision; and if, from a false delicacy and groundless timidity, they purposely declined an examination of a point the most essential toward enabling Parliament to form a just determination on so important a subject?

What opinon, then, are we led to form of the pretensions of the consul to those particular qualities for which, in the official note, his personal character is represented to us as the surest pledge of peace? We are told this is his second attempt at general pacification. Let us see, for a moment, how this attempt has been conducted. There is, indeed, as the learned gentleman has said, a word in the first declaration which refers to general peace, and which states this to

be the second time in which the consul has endeavored to accomplish that object.

We thought fit, for the reasons which have been assigned, to decline altogether the proposal of treating under the present circumstances, but we, at the same time, expressly stated that whenever the moment for treaty should arrive we would in no case treat but in conjunction with our allies.

Our general refusal to negotiate at the present moment does not prevent the consul from renewing his overtures; but are they renewed for the purpose of general pacification? Though he had hinted at general peace in the terms of his first note; though we had shown by our answer that we deemed negotiation, even for general peace, at this moment inadmissible; though we added that, even at any future period, we would treat only in conjunction with our allies, what was the proposal contained in his last note? To treat for a separate peace between Great Britain and France.

Such was the second attempt to effect general pacification —a proposal for a separate treaty with Great Britain. What had been the first? The conclusion of a separate treaty with Austria; and there are two anecdotes connected with the conclusion of this treaty which are sufficient to illustrate the disposition of the pacificator of Europe. This very treaty of Campo Formio was ostentatiously professed to be concluded with the emperor for the purpose of enabling Bonaparte to take the command of the army of England, and to dictate a separate peace with this country on the banks of the Thames. But there is this additional circumstance, singular beyond all conception, considering that we are now referred to the treaty of Campo Formio as a proof of the personal disposition of the consul to general peace.

He sent his two confidential and chosen friends, Berthier

and Monge, charged to communicate to the Directory this treaty of Campo Formio; to announce to them that one enemy was humbled, that the war with Austria was terminated, and, therefore, that now was the moment to prosecute their operations against this country; they used on this occasion the memorable words, "The kingdom of Great Britain and the French republic cannot exist together." This, I say, was the solemn declaration of the deputies and embassadors of Bonaparte himself, offering to the Directory the first-fruits of this first attempt at general pacification.

So much for his disposition toward general pacification. Let us look next at the part he has taken in the different stages of the French revolution, and let us then judge whether we are to look to him as the security against revolutionary principles. Let us determine what reliance we can place on his engagements with other countries when we see how he has observed his engagements to his own. When the constitution of the third year was established under Barras, that constitution was imposed by the arms of Bonaparte, then commanding the army of the triumvirate in Paris. To that constitution he then swore fidelity. How often he has repeated the same oath I know not, but twice, at least, we know that he has not only repeated it himself, but tendered it to others, under circumstances too striking not to be stated.

Sir, the House cannot have forgotten the revolution of the 4th of September, which produced the dismissal of Lord Malmesbury from Lisle. How was that revolution procured? It was produced chiefly by the promise of Bonaparte, in the name of his army, decidedly to support the Directory in those measures which led to the infringement and violation of everything that the authors of the constitution of 1795, or its adherents, could consider as fundamental, and which established

a system of despotism inferior only to that now realized in his own person. Immediately before this event, in the midst of the desolation and bloodshed of Italy, he had received the sacred present of new banners from the Directory; he delivered them to his army with this exhortation:

"Let us swear, fellow soldiers, by the names of the patriots who have died by our side, eternal hatred to the enemies of the constitution of the third year,"—

—that very constitution which he soon after enabled the Directory to violate, and which, at the head of his grenadiers, he has now finally destroyed. Sir, that oath was again renewed in the midst of that very scene to which I have last referred; the oath of fidelity to the constitution of the third year was administered to all the members of the assembly then sitting, under the terror of the bayonet, as the solemn preparation for the business of the day; and the morning was ushered in with swearing attachment to the constitution that the evening might close with its destruction.

If we carry our views out of France and look at the dreadful catalogue of all the breaches of treaty, all the acts of perfidy at which I have only glanced, and which are precisely commensurate with the number of treaties which the republic has made (for I have sought in vain for any one which it has made and which it has not broken), if we trace the history of them all from the beginning of the revolution to the present time, or if we select those which have been accompanied by the most atrocious cruelty and marked the most strongly with the characteristic features of the revolution, the name of Bonaparte will be found allied to more of them than that of any other that can be handed down in the history of the crimes and miseries of the last ten years. His name will be recorded with the horrors committed in Italy,

in the memorable campaign of 1796 and 1797, in the Milanese, in Genoa, in Modena, in Tuscany, in Rome, and in Venice.

His entrance into Lombardy was announced by a solemn proclamation, issued on the 27th of April, 1796, which terminated with these words:

"Nations of Italy! the French army is come to break your chains, the French are the friends of the people in every
12 country; your religion, your property, your customs, shall be respected."

This was followed by a second proclamation dated from Milan 20th of May and signed "Bonaparte," in these terms:

"Respect for property and personal security; respect for the religion of countries: these are the sentiments of the government of the French republic and of the army of Italy. The French, victorious, consider the nations of Lombardy as their brothers."

In testimony of this fraternity, and to fulfill the solemn pledge of respecting property, this very proclamation imposed on the Milanese a provisional contribution to the amount of twenty millions of livres, or near one million sterling, and successive exactions were afterward levied on that single state to the amount, in the whole, of near six millions sterling.

The regard to religion and to the customs of the country was manifested with the same scrupulous fidelity. The churches were given up to indiscriminate plunder. Every religious and charitable fund, every public treasure, was confiscated. The country was made the scene of every species of disorder and rapine. The priests, the established form of worship, all the objects of religious reverence, were openly insulted by the French troops; at Pavia, particularly, the

tomb of St. Augustin, which the inhabitants were accustomed to view with peculiar veneration, was mutilated and defaced; this last provocation having roused the resentment of the people, they flew to arms, surrounded the French garrison and took them prisoners, but carefully abstained from offering any violence to a single soldier.

In revenge for this conduct, Bonaparte, then on his march to the Mincio, suddenly returned, collected his troops, and carried the extremity of military execution over the country. He burned the town of Benasco and massacred eight hundred of its inhabitants; he marched to Pavia, took it by storm, and delivered it over to general plunder, and published, at the same moment, a proclamation, of the 26th of May, ordering his troops to shoot all those who had not laid down their arms and taken an oath of obedience, and to burn every village where the tocsin should be sounded, and to put its inhabitants to death.

The transactions with Modena were on a smaller scale, but in the same character. Bonaparte began by signing a treaty by which the duke of Modena was to pay twelve millions of livres, and neutrality was promised him in return; this was soon followed by the personal arrest of the duke and by a fresh extortion of two hundred thousand sequins. After this he was permitted, on the payment of a farther sum, to sign another treaty, called a *convention de sureté*, which of course was only the prelude to the repetition of similar exactions.

Nearly at the same period, in violation of the rights of neutrality and of the treaty which had been concluded between the French republic and the grand duke of Tuscany in the preceding year, and in breach of a positive promise given only a few days before, the French army forcibly took possession of Leghorn, for the purpose of seizing the British prop-

erty which was deposited there and confiscating it as prize; and shortly after, when Bonaparte agreed to evacuate Leghorn in return for the evacuation of the island of Elba, which was in possession of the British troops, he insisted upon a separate article by which, in addition to the plunder before obtained, by the infraction of the law of nations, it was stipulated that the grand duke should pay the expense which the French had incurred by this invasion of his territory.

In the proceedings toward Genoa we shall find not only a continuance of the same system of extortion and plunder, in violation of the solemn pledge contained in the proclamations already referred to, but a striking instance of the revolutionary means employed for the destruction of independent governments. A French minister was at that time resident at Genoa, which was acknowledged by France to be in a state of neutrality and friendship; in breach of this neutrality Bonaparte began, in the year 1796, with the demand of a loan. He afterward, from the month of September, required and enforced the payment of a monthly subsidy, to the amount which he thought proper to stipulate.

These exactions were accompanied by repeated assurances and protestations of friendship; they were followed, in May, 1797, by a conspiracy against the government, fomented by the emissaries of the French embassy, and conducted by the partisans of France, encouraged, and afterward protected by the French minister. The conspirators failed in their first attempt. Overpowered by the courage and voluntary exertions of the inhabitants, their force was dispersed and many of their number were arrested. Bonaparte instantly considered the defeat of the conspirators as an act of aggression against the French republic; he dispatched an aid-de-camp

with an order to the Senate of this independent state: first, to release all the French who were detained; secondly, to punish those who had arrested them; thirdly, to declare that they had no share in the insurrection; and fourthly, to disarm the people. Several French prisoners were immediately released, and a proclamation was preparing to disarm the inhabitants, when, by a second note, Bonaparte required the arrest of the three inquisitors of state, and immediate alterations in the constitution.

He accompanied this with an order to the French minister to quit Genoa if his commands were not immediately carried into execution; at the same moment his troops entered the territory of the republic, and shortly after, the councils, intimidated and overpowered, abdicated their functions. Three deputies were then sent to Bonaparte to receive from him a new constitution.

On the 6th of June, after the conferences at Montebello, he signed a convention, or rather issued a decree, by which he fixed the new form of their government; he himself named provisionally all the members who were to compose it, and he required the payment of seven millions of livres as the price of the subversion of their constitution and their independence. These transactions require but one short comment. It is to be found in the official account given of them at Paris; which is in these memorable words:

"General Bonaparte has pursued the only line of conduct which could be allowed in the representative of a nation which has supported the war only to procure the solemn acknowledgment of the right of nations to change the form of their government. He contributed nothing toward the revolution of Genoa, but he seized the first moment to acknowledge the new government, as soon as he saw that it was the result of the wishes of the people."

It is unnecessary to dwell on the wanton attacks against Rome, under the direction of Bonaparte himself, in the year 1796 and in the beginning of 1797, which terminated first by the treaty of Tolentino concluded by Bonaparte, in which, by enormous sacrifices, the Pope was allowed to purchase the acknowledgment of his authority as a sovereign prince; and secondly, by the violation of that very treaty, and the subversion of the papal authority by Joseph Bonaparte, the brother and the agent of the general, and the minister of the French Republic to the Holy See,—a transaction accompanied by outrages and insults toward the pious and venerable pontiff, in spite of the sanctity of his age and the unsullied purity of his character, which even to a Protestant seem hardly short of the guilt of sacrilege.

But of all the disgusting and tragical scenes which took place in Italy in the course of the period I am describing, those which passed at Venice are perhaps the most striking and the most characteristic. In May, 1796, the French army, under Bonaparte, in the full tide of its success against the Austrians, first approached the territories of this republic, which from the commencement of the war had observed a rigid neutrality. Their entrance on these territories was, as usual, accompanied by a solemn proclamation in the name of their general:

"BONAPARTE TO THE REPUBLIC OF VENICE!"

"It is to deliver the finest country in Europe from the iron yoke of the proud house of Austria that the French army has braved obstacles the most difficult to surmount. Victory in union with justice has crowned its efforts. The wreck of the enemy's army has retired behind the Mincio. The French army, in order to follow them, passes over the territory of the republic of Venice; but it will never forget that ancient friendship unites the two republics. Religion, gov-

ernment, customs, and property shall be respected. That the people may be without apprehension, the most severe discipline shall be maintained. All that may be provided for the army shall be faithfully paid for in money. The general-in-chief engages the officers of the republic of Venice, the magistrates, and the priests, to make known these sentiments to the people in order that confidence may cement that friendship which has so long united the two nations. Faithful in the path of honor as in that of victory, the French soldier is terrible only to the enemies of his liberty and his government.

"BONAPARTE."

This proclamation was followed by exactions similar to those which were practised against Genoa, by the renewal of similar professions of friendship and the use of similar means to incite insurrection. At length, in the spring of 1797, occasion was taken from disturbances thus excited to forge in the name of the Venetian government a proclamation hostile to France, and this proceeding was made the ground for military execution against the country, and for effecting by force the subversion of its ancient government and the establishment of the democratic forms of the French Revolution. This revolution was sealed by a treaty, signed in May, 1797, between Bonaparte and commissioners appointed on the part of the new and revolutionary government of Venice.

By the second and third secret articles of this treaty Venice agreed to give as a ransom, to secure itself against all further exactions or demands, the sum of three millions of livres in money, the value of three millions more in articles of naval supply, and three ships of the line; and it received in return the assurances of the friendship and support of the French Republic. Immediately after the signature of this treaty, the arsenal, the library, and the palace of St. Marc were ran-

sacked and plundered, and heavy additional contributions were imposed upon its inhabitants. And in not more than four months afterward this very republic of Venice, united by alliance to France, the creature of Bonaparte himself, from whom it had received the present of French liberty, was by the same Bonaparte transferred, under the treaty of Campo Formio, to "that iron yoke of the proud house of Austria," to deliver it from which he had represented in his first proclamation to be the great object of all his operations.

Sir, all this is followed by the memorable expedition into Egypt, which I mention, not merely because it forms a principal article in the catalogue of those acts of violence and perfidy in which Bonaparte has been engaged; not merely because it was an enterprise peculiarly his own, of which he was himself the planner, the executor, and the betrayer; but chiefly because when from thence he retires to a different scene to take possession of a new throne, from which he is to speak upon an equality with the kings and governors of Europe, he leaves behind him at the moment of his departure a specimen, which cannot be mistaken, of his principles of negotiation.

The intercepted correspondence which has been alluded to in this debate seems to afford the strongest ground to believe that his offers to the Turkish government to evacuate Egypt were made solely with a view to gain time; that the ratification of any treaty on this subject was to be delayed with the view of finally eluding its performance if any change of circumstances favorable to the French should occur in the interval. But whatever gentlemen may think of the intention with which these offers were made, there will at least be no question with respect to the credit due to those professions by

which he endeavored to prove in Egypt his pacific dispositions. He expressly enjoins his successor strongly and steadily to insist, in all his intercourse with the Turks, that he came to Egypt with no hostile design, and that he never meant to keep possession of the country; while on the opposite page of the same instructions he states in the most unequivocal manner his regret at the discomfiture of his favorite project of colonizing Egypt and of maintaining it as a territorial acquisition.

Now, sir, if in any note addressed to the Grand Vizier or the Sultan, Bonaparte had claimed credit for the sincerity of his professions, that he came to Egypt with no view hostile to Turkey and solely for the purpose of molesting the British interests, is there any one argument now used to induce us to believe his present professions to us which might not have been equally urged on that occasion? Would not those professions have been equally supported by solemn asseveration, by the same reference which is now made to personal character, with this single difference, that they would have then had one instance less of hypocrisy and falsehood, which we have since had occasion to trace in this very transaction?

It is unnecessary to say more with respect to the credit due to his professions or the reliance to be placed on his general character. But it will perhaps be argued that whatever may be his character or whatever has been his past conduct, he has now an interest in making and observing peace. That he has an interest in making peace is at best but a doubtful proposition, and that he has an interest in preserving it is still more uncertain. That it is his interest to negotiate I do not indeed deny. It is his interest, above all, to engage this country in separate negotiation in order to loosen and dissolve the whole system of the confederacy on the Continent, to

palsy at once the arms of Russia, or of Austria, or of any other country that might look to you for support; and then either to break off his separate treaty, or, if he should have concluded it, to apply the lesson which is taught in his school of policy in Egypt, and to revive at his pleasure those claims of indemnification which may have been reserved to some happier period.

This is precisely the interest which he has in negotiation. But on what grounds are we to be convinced that he has an interest in concluding and observing a solid and permanent pacification? Under all the circumstances of his personal character, and his newly acquired power, what other security has he for retaining that power but the sword? His hold upon France is the sword, and he has no other. Is he connected with the soil, or with the habits, the affections, or the prejudices of the country? He is a stranger, a foreigner, and a usurper. He unites in his own person everything that a pure republican must detest; everything that an enraged Jacobin has abjured; everything that a sincere and faithful royalist must feel as an insult. If he is opposed at any time in his career, what is his appeal? He appeals to his fortune; in other words, to his army and his sword. Placing, then, his whole reliance upon military support, can he afford to let his military renown pass away, to let his laurels wither, to let the memory of his trophies sink in obscurity? Is it certain that, with his army confined within France and restrained from inroads upon her neighbors, he can maintain at his devotion a force sufficiently numerous to support his power? Having no object but the possession of absolute dominion, no passion but military glory, is it to be reckoned as certain that he can feel such an interest in permanent peace as would justify us in laying down our arms, reducing our

expense, and relinquishing our means of security, on the faith of his engagements?

Do we believe that, after the conclusion of peace, he would not still sigh over the lost trophies of Egypt, wrested from him by the celebrated victory of Aboukir and the brilliant exertions of that heroic band of British seamen whose influence and example rendered the Turkish troops invincible at Acre? Can he forget that the effect of these exploits enabled Austria and Russia in one campaign to recover from France all which she had acquired by his victories, to dissolve the charm which for a time fascinated Europe, and to show that their generals, contending in a just cause, could efface even by their success and their military glory the most dazzling triumphs of his victorious and desolating ambition?

Can we believe, with these impressions on his mind, that if, after a year, eighteen months, or two years of peace had elapsed, he should be tempted by the appearance of fresh insurrection in Ireland, encouraged by renewed and unrestrained communication with France, and fomented by the fresh infusion of Jacobin principles; if we were at such a moment without a fleet to watch the ports of France or to guard the coasts of Ireland, without a disposable army or an embodied militia capable of supplying a speedy and adequate re-enforcement, and that he had suddenly the means of transporting thither a body of twenty or thirty thousand French troops; can we believe that at such a moment his ambition and vindictive spirit would be restrained by the recollection of engagements or the obligation of treaty? Or if, in some new crisis of difficulty and danger to the Ottoman empire, with no British navy in the Mediterranean, no confederacy formed, no force collected to support it, an opportunity should present itself for resuming the abandoned expedition to

Egypt, for renewing the avowed and favorite project of conquering and colonizing that rich and fertile country, and of opening the way to wound some of the vital interests of England and to plunder the treasures of the East in order to fill the bankrupt coffers of France? Would it be the interest of Bonaparte under such circumstances, or his principles, his moderation, his love of peace, his aversion to conquest, and his regard for the independence of other nations—would it be all or any of these that would secure us against an attempt which would leave us only the option of submitting without a struggle to certain loss and disgrace, or of renewing the contest which we had prematurely terminated, without allies, without preparation, with diminished means, and with increased difficulty and hazard?

Hitherto I have spoken only of the reliance which we can place on the professions, the character, and the conduct of the present First Consul; but it remains to consider the stability of his power. The revolution has been marked throughout by a rapid succession of new depositaries of public authority, each supplanting its predecessor. What grounds have we to believe that this new usurpation, more odious and more undisguised than all that preceded it, will be more durable? Is it that we rely on the particular provisions contained in the code of the pretended constitution, which was proclaimed as accepted by the French people as soon as the garrison of Paris declared their determination to exterminate all its enemies, and before any of its articles could even be known to half the country whose consent was required for its establishment?

I will not pretend to inquire deeply into the nature and effects of a constitution which can hardly be regarded but as a farce and a mockery. If, however, it could be supposed that its provisions were to have any effect, it seems equally adapted

to two purposes, that of giving to its founder for a time an absolute and uncontrolled authority, and that of laying the certain foundation of disunion and discord which, if they once prevail, must render the exercise of all the authority under the constitution impossible and leave no appeal but to the sword.

Is, then, military despotism that which we are accustomed to consider as a stable form of government? In all ages of the world it has been attained with the least stability to the persons who exercised it, and with the most rapid succession of changes and revolutions. In the outset of the French revolution its advocates boasted that it furnished a security forever, not to France only, but to all countries in the world, against military despotism; that the force of standing armies was vain and delusive; that no artificial power could resist public opinion; and that it was upon the foundation of public opinion alone that any government could stand. I believe that in this instance, as in every other, the progress of the French revolution has belied its professions; but, so far from its being a proof of the prevalence of public opinion against military force, it is, instead of the proof, the strongest exception from that doctrine which appears in the history of the world.

Through all the stages of the revolution military force has governed and public opinion has scarcely been heard. But still I consider this as only an exception from a general truth. I still believe that in every civilized country not enslaved by a Jacobin faction public opinion is the only sure support of any government. I believe this with the more satisfaction from a conviction that, if this contest is happily terminated, the established governments of Europe will stand upon that rock firmer than ever; and, whatever may be the defects of any particular

constitution, those who live under it will prefer its continuance to the experiment of changes which may plunge them in the unfathomable abyss of revolution or extricate them from it only to expose them to the terrors of military despotism. And, to apply this to France, I see no reason to believe that the present usurpation will be more permanent than any other military despotism which has been established by the same means and with the same defiance of public opinion.

What, then, is the inference I draw from all that I have now stated? Is it that we will in no case treat with Bonaparte? I say no such thing. But I say, as has been said in the answer returned to the French note, that we ought to wait for "experience and the evidence of facts" before we are convinced that such a treaty is admissible.

The circumstances I have stated would well justify us if we should be slow in being convinced; but on a question of peace and war everything depends upon degree and upon comparison. If on the one hand there should be an appearance that the policy of France is at length guided by different maxims from those which have hitherto prevailed; if we should hereafter see signs of stability in the government which are not now to be traced; if the progress of the allied army should not call forth such a spirit in France as to make it probable that the act of the country itself will destroy the system now prevailing; if the danger, the difficulty, the risk of continuing the contest should increase, while the hope of complete ultimate success should be diminished; all these in their due place are considerations which, with myself and, I can answer for it, with every one of my colleagues, will have their just weight.

But at present these considerations all operate one way; at present there is nothing from which we can presage a favor-

able disposition to change in the French councils. There is the greatest reason to rely on powerful co-operation from our allies; there are the strongest marks of a disposition in the interior of France to active resistance against this new tyranny; and there is every ground to believe, on reviewing our situation and that of the enemy, that, if we are ultimately disappointed of that complete success which we are at present entitled to hope, the continuance of the contest, instead of making our situation comparatively worse, will have made it comparatively better.

If, then, I am asked how long are we to persevere in the war, I can only say that no period can be accurately assigned. Considering the importance of obtaining complete security for the objects for which we contend, we ought not to be discouraged too soon; but, on the contrary, considering the importance of not impairing and exhausting the radical strength of the country, there are limits beyond which we ought not to persist, and which we can determine only by estimating and comparing fairly from time to time the degree of security to be obtained by treaty, and the risk and disadvantage of continuing the contest.

But, sir, there are some gentlemen in the House who seem to consider it already certain that the ultimate success to which I am looking is unattainable. They suppose us contending only for the restoration of the French monarchy, which they believe to be impracticable, and deny to be desirable for this country. We have been asked in the course of this debate: Do you think you can impose monarchy upon France against the will of the nation? I never thought it, I never hoped it, I never wished it. I have thought, I have hoped, I have wished, that the time might come when the effect of the arms of the allies might so far overpower the

military force which keeps France in bondage as to give vent and scope to the thoughts and actions of its inhabitants.

We have indeed already seen abundant proof of what is the disposition of a large part of the country; we have seen almost through the whole of the revolution the western provinces of France deluged with the blood of its inhabitants, obstinately contending for their ancient laws and religion. We have recently seen, in the revival of that war, fresh proof of the zeal which still animates those countries in the same cause. These efforts (I state it distinctly, and there are those near me who can bear witness to the truth of the assertion) were not produced by any instigation from hence; they were the effects of a rooted sentiment prevailing through all those provinces forced into action by the "law of the hostages" and the other tyrannical measures of the Directory, at the moment when we were endeavoring to discourage so hazardous an enterprise.

If under such circumstances we find them giving proofs of their unalterable perseverance in their principles; if there is every reason to believe that the same disposition prevails in many other extensive provinces of France; if every party appears at length equally wearied and disappointed with all the successive changes which the revolution has produced; if the question is no longer between monarchy, and even the pretence and name of liberty, but between the ancient line of hereditary princes on the one hand, and a military tyrant, a foreign usurper, on the other; if the armies of that usurper are likely to find sufficient occupation on the frontiers, and to be forced at length to leave the interior of the country at liberty to manifest its real feeling and disposition; what reason have we to anticipate that the restoration of monarchy under such circumstances is impracticable?

The learned gentleman has indeed told us that almost every man now possessed of property in France must necessarily be interested in resisting such a change, and that therefore it never can be effected. If that single consideration were conclusive against the possibility of a change, for the same reason the revolution itself, by which the whole property of the country was taken from its ancient possessors, could never have taken place. But though I deny it to be an insuperable obstacle, I admit it to be a point of considerable delicacy and difficulty. It is not indeed for us to discuss minutely what arrangement might be formed on this point to conciliate and unite opposite interests.

But whoever considers the precarious tenure and depreciated value of lands held under the revolutionary title, and the low price for which they have generally been obtained, will think it perhaps not impossible that an ample compensation might be made to the bulk of the present possessors, both for the purchase-money they have paid and for the actual value of what they now enjoy; and that the ancient proprietors might be reinstated in the possession of their former rights with only such a temporary sacrifice as reasonable men would willingly make to obtain so essential an object.

The honorable and learned gentleman, however, has supported his reasoning on this part of the subject by an argument which he undoubtedly considers as unanswerable—a reference to what would be his own conduct in similar circumstances; and he tells us that every landed proprietor in France must support the present order of things in that country from the same motive that he and every proprietor of three-per-cent stock would join in the defence of the constitution of Great Britain.

I must do the learned gentleman the justice to believe that

the habits of his profession must supply him with better and nobler motives for defending a constitution which he has had so much occasion to study and examine than any he can derive from the value of his proportion, however large, of three-per-cents, even supposing them to continue to increase in price as rapidly as they have done during the last three years, in which the security and prosperity of the country has been established by following a system directly opposite to the counsels of the learned gentleman and his friends.

The learned gentleman's illustration, however, though it fails with respect to himself, is happily and aptly applied to the state of France; and let us see what inference it furnishes with respect to the probable attachment of moneyed men to the continuance of the revolutionary system, as well as with respect to the general state of public credit in that country?

I do not indeed know that there exists precisely any fund of three-per-cents in France to furnish a test for the patriotism and public spirit of the lovers of French liberty. But there is another fund which may equally answer our purpose. The capital of three-per-cent stock which formerly existed in France has undergone a whimsical operation, similar to many other expedients of finance which we have seen in the course of the revolution. This was performed by a decree which, as they termed it, " republicanized " their debt; that is, in other words, struck off at once two thirds of the capital and left the proprietors to take their chance for the payment of interest on the remainder. This remnant was afterward converted into the present five-per-cent stock.

I had the curiosity very lately to inquire what price it bore in the market, and I was told that the price had somewhat risen from confidence in the new government and was actually as high as seventeen. I really at first supposed that my

informer meant seventeen years' purchase for every pound of interest, and I began to be almost jealous of revolutionary credit; but I soon found that he literally meant seventeen pounds for every hundred pounds capital stock of five per cent; that is a little more than three and a half years' purchase. So much for the value of revolutionary property and for the attachment with which it must inspire its possessors toward the system of government to which that value is to be ascribed.

On the question, sir, how far the restoration of the French monarchy, if practicable, is desirable, I shall not think it necessary to say much. Can it be supposed to be indifferent to us or to the world whether the throne of France is to be filled by a prince of the house of Bourbon or by him whose principles and conduct I have endeavored to develop? Is it nothing, with a view to influence and example, whether the fortune of this last adventurer in the lottery of revolutions shall appear to be permanent? Is it nothing whether a system shall be sanctioned which confirms, by one of its fundamental articles, that general transfer of property from its ancient and lawful possessors, which holds out one of the most terrible examples of national injustice, and which has furnished the great source of revolutionary finance and revolutionary strength against all the powers of Europe?

In the exhausted and impoverished state of France it seems for a time impossible that any system but that of robbery and confiscation, anything but the continued torture which can be applied only by the engines of the revolution, can extort from its ruined inhabitants more than the means of supporting in peace the yearly expenditure of its government. Suppose, then, the heir of the house of Bourbon reinstated on the throne, he will have sufficient occupation in endeavoring, if possible,

to heal the wounds and gradually to repair the losses of ten years of civil convulsion; to reanimate the drooping commerce, to rekindle the industry, to replace the capital, and to revive the manufactures of the country.

Under such circumstances there must probably be a considerable interval before such a monarch, whatever may be his views, can possess the power which can make him formidable to Europe; but while the system of the revolution continues the case is quite different. It is true indeed that even the gigantic and unnatural means by which that revolution has been supported are so far impaired, the influence of its principles and the terror of its arms so far weakened, and its power of action so much contracted and circumscribed, that against the embodied force of Europe, prosecuting a vigorous war, we may justly hope that the remnant and wreck of this system cannot long oppose an effectual resistance.

But, supposing the confederacy of Europe prematurely dissolved; supposing our armies disbanded, our fleets laid up in our harbors, our exertions relaxed, and our means of precaution and defence relinquished; do we believe that the revolutionary power, with this rest and breathing-time given it to recover from the pressure under which it is now sinking, possessing still the means of calling suddenly and violently into action whatever is the remaining physical force of France, under the guidance of military despotism; do we believe that this revolutionary power, the terror of which is now beginning to vanish, will not again prove formidable to Europe?

Can we forget that in the ten years in which that power has subsisted it has brought more misery on surrounding nations and produced more acts of aggression, cruelty, perfidy, and enormous ambition than can be traced in the history of France for the centuries which have elapsed since the foundation of

its monarchy, including all the wars which in the course of that period have been waged by any of those sovereigns whose projects of aggrandizement and violations of treaty afford a constant theme of general reproach against the ancient government of France? And if not, can we hesitate whether we have the best prospect of permanent peace, the best security for the independence and safety of Europe, from the restoration of the lawful government or from the continuance of revolutionary power in the hands of Bonaparte?

In compromise and treaty with such a power, placed in such hands as now exercise it, and retaining the same means of annoyance which it now possesses, I see little hope of permanent security. I see no possibility at this moment of such a peace as would justify that liberal intercourse which is the essence of real amity; no chance of terminating the expenses or the anxieties of war, or of restoring to us any of the advantages of established tranquillity; and, as a sincere lover of peace, I cannot be content with its nominal attainment. I must be desirous of pursuing that system which promises to attain in the end the permanent enjoyment of its solid and substantial blessings for this country and for Europe. As a sincere lover of peace I will not sacrifice it by grasping at the shadow when the reality is not substantially within my reach.

"Cur igitur pacem nolo? Quia infida est, quia periculosa, quia esse non potest."[1]

If, sir, in all that I have now offered to the House, I have succeeded in establishing the proposition that the system of the French Revolution has been such as to afford to foreign powers no adequate ground for security in negotiation, and that the change which has recently taken place has not yet

[1] "Why, then, am I against peace? Because it is faithless, because it is dangerous, because it cannot be maintained."

afforded that security; if I have laid before you a just statement of the nature and extent of the danger with which we have been threatened, it would remain only shortly to consider whether there is anything in the circumstances of the present moment to induce us to accept a security confessedly inadequate against a danger of such a description.

It will be necessary here to say a few words on the subject on which gentlemen have been so fond of dwelling, I mean our former negotiations, and particularly that at Lisle in 1797. I am desirous of stating frankly and openly the true motives which induced me to concur in then recommending negotiation; and I will leave it to the House and to the country to judge whether our conduct at that time was inconsistent with the principles by which we are guided at present.

That revolutionary policy which I have endeavored to describe, that gigantic system of prodigality and bloodshed by which the efforts of France were supported, and which counts for nothing the lives and the property of a nation, had at that period driven us to exertions which had in a great measure exhausted the ordinary means of defraying our immense expenditure, and had led many of those who were the most convinced of the original justice and necessity of the war, and of the danger of Jacobin principles, to doubt the possibility of persisting in it till complete and adequate security could be obtained.

There seemed, too, much reason to believe that without some new measure to check the rapid accumulation of debt we could no longer trust to the stability of that funding system by which the nation had been enabled to support the expense of all the different wars in which we have engaged in the course of the present century. In order to continue our exertions with vigor it became necessary that a new and

solid system of finance should be established, such as could not be rendered effectual but by the general and decided concurrence of public opinion. Such a concurrence in the strong and vigorous measures necessary for the purpose could not then be expected but from satisfying the country, by the strongest and most decided proofs, that peace, on terms in any degree admissible, was unattainable.

Under this impression we thought it our duty to attempt negotiation, not from the sanguine hope, even at that time, that its result could afford us complete security, but from the persuasion that the danger arising from peace under such circumstances was less than that of continuing the war with precarious and inadequate means. The result of those negotiations proved that the enemy would be satisfied with nothing less than the sacrifice of the honor and independence of the country. From this conviction a spirit and enthusiasm was excited in the nation which produced the efforts to which we are indebted for the subsequent change in our situation. Having witnessed that happy change, having observed the increasing prosperity and security of the country from that period, seeing how much more satisfactory our prospects now are than any which we could then have derived from the successful result of negotiation, I have not scrupled to declare that I consider the rupture of the negotiation, on the part of the enemy, as a fortunate circumstance for the country. But because these are my sentiments at this time, after reviewing what has since passed, does it follow that we were at that time insincere in endeavoring to obtain peace? The learned gentleman indeed assumes that we were, and he even makes a concession of which I desire not to claim the benefit. He is willing to admit that, on our principles and our view of the subject, insincerity would have been justifiable.

I know, sir, no plea that would justify those who are entrusted with the conduct of public affairs in holding out to Parliament and to the nation one object while they were in fact pursuing another. I did in fact believe, at the moment, the conclusion of peace, if it could have been obtained, to be preferable to the continuance of the war under its increasing risks and difficulties. I therefore wished for peace; I sincerely labored for peace. Our endeavors were frustrated by the act of the enemy. If, then, the circumstances are since changed; if what passed at that period has afforded a proof that the object we aimed at was unattainable; and if all that has passed since has proved that, provided peace had been then made, it could not have been durable, are we bound to repeat the same experiment when every reason against it is strengthened by subsequent experience and when the inducements which led to it at that time have ceased to exist?

When we consider the resources and the spirit of the country, can any man doubt that if adequate security is not now to be obtained by treaty we have the means of prosecuting the contest with material difficulty or danger and with a reasonable prospect of completely attaining our object?

I will not dwell on the improved state of public credit; on the continually increasing amount, in spite of extraordinary temporary burdens, of our permanent revenue; on the yearly accession of wealth to an extent unprecedented even in the most flourishing times of peace, which we are deriving, in the midst of war, from our extended and flourishing commerce; on the progressive improvement and growth of our manufactures; on the proofs which we see on all sides of the uninterrupted accumulation of productive capital; and on the active exertion of every branch of national industry which can tend

to support and augment the population, the riches, and the power of the country?

As little need I recall the attention of the House to the additional means of action which we have derived from the great augmentation of our disposable military force, the continued triumphs of our powerful and victorious navy, and the events which, in the course of the last two years have raised the military ardor and military glory of the country to a height unexampled in any period of our history.

In addition to these grounds of reliance on our own strength and exertions we have seen the consummate skill and valor of the arms of our allies proved by that series of unexampled success in the course of the last campaign, and we have every reason to expect a co-operation on the Continent, even to a greater extent, in the course of the present year. If we compare this view of our own situation with everything we can observe of the state and condition of our enemy; if we can trace him laboring under equal difficulty in finding men to recruit his army or money to pay it; if we know that in the course of the last year the most rigorous efforts of military conscription were scarcely sufficient to replace to the French armies, at the end of the campaign, the numbers which they had lost in the course of it; if we have seen that that force, then in possession of advantages which it has since lost, was unable to contend with the efforts of the combined armies; if we know that, even while supported by the plunder of all the countries which they had overrun, those armies were reduced, by the confession of their commanders, to the extremity of distress, and destitute not only of the principal articles of military supply, but almost of the necessaries of life; if we see them now driven back within their own frontiers, and confined within a country whose

own resources have long since been proclaimed by their successive governments to be unequal either to paying or maintaining them; if we observe that since the last revolution no one substantial or effectual measure has been adopted to remedy the intolerable disorder of their finances and to supply the deficiency of their credit and resources; if we see, through large and populous districts of France, either open war levied against the present usurpation, or evident marks of disunion and distraction which the first occasion may call forth into a flame, if, I say, sir, this comparison be just, I feel myself authorized to conclude from it, not that we are entitled to consider ourselves certain of ultimate success, not that we are to suppose ourselves exempted from the unforeseen vicissitudes of war; but that, considering the value of the object for which we are contending, the means for supporting the contest, and the probable course of human events, we should be inexcusable if at this moment we were to relinquish the struggle on any grounds short of entire and complete security; that from perseverance in our efforts under such circumstances we have the fairest reason to expect the full attainment of our object; but that at all events, even if we are disappointed in our more sanguine hopes, we are more likely to gain than to lose by the continuation of the contest; that every month to which it is continued, even if it should not in its effects lead to the final destruction of the Jacobin system, must tend so far to weaken and exhaust it as to give us at least a greater comparative security in any termination of the war; that on all these grounds this is not the moment at which it is consistent with our interest or our duty to listen to any proposals of negotiation with the present ruler of France; but that we are not therefore pledged to any unalterable determination as to our future conduct; that in this

we must be regulated by the course of events; and that it will be the duty of his Majesty's ministers from time to time to adapt their measures to any variation of circumstances, to consider how far the effects of the military operations of the allies or of the internal disposition of France correspond with our present expectations, and, on a view of the whole, to compare the difficulties or risks which may arise in the prosecution of the contest with the prospect of ultimate success or of the degree of advantage to be derived from its further continuance, and to be governed by the result of all these considerations in the opinion and advice which they may offer to their sovereign.

WILBERFORCE

WILLIAM WILBERFORCE was born at Hull in 1759. He was descended from a Yorkshire family which had possessed the manor of Wilberfoss in the East Riding from the time of Henry II. to the middle of the eighteenth century. In his twelfth year he was placed at the endowed school of Pocklington, and in 1776 entered St. John's College, Cambridge. In 1780 he became a member of the House of Commons, and three years later was of great service to William Pitt in the latter's struggle against the majority of the House. About 1787 he made the acquaintance of Thomas Clarkson, and began an agitation against the slave trade. In April, 1792, he carried a motion for the gradual suppression of the traffic by 238 to 85 votes, but, owing to the opposition of the House of Peers, the abolition of the slave trade was not accomplished until 1807. When the Society for the Abolition of Slavery in the British Possessions was formed in 1823, Wilberforce became a Vice-President, but he retired from Parliament in 1825, and died in 1833, just before the Emancipation Bill was passed.

HORRORS OF THE BRITISH SLAVE TRADE IN THE EIGHTEENTH CENTURY

SPEECH DELIVERED IN PARLIAMENT, MAY 12, 1789

IN OPENING, concerning the nature of the slave trade, I need only observe that it is found by experience to be just such as every man who uses his reason would infallibly conclude it to be. For my own part, so clearly am I convinced of the mischiefs inseparable from it, that I should hardly want any further evidence than my own mind would furnish, by the most simple deductions. Facts, however, are now laid before the House. A report has been made by his Majesty's Privy Council, which,

I trust, every gentleman has read, and which ascertains the slave trade to be just such in practice as we know, from theory, it must be. What should we suppose must naturally be the consequence of our carrying on a slave trade with Africa? With a country vast in its extent, not utterly barbarous, but civilized in a very small degree? Does any one suppose a slave trade would help their civilization? Is it not plain that she must suffer from it? That civilization must be checked; that her barbarous manners must be made more barbarous; and that the happiness of her millions of inhabitants must be prejudiced with her intercourse with Britain? Does not every one see that a slave trade carried on around her coasts must carry violence and desolation to her very centre? That in a continent just emerging from barbarism, if a trade in men is established, if her men are all converted into goods, and become commodities that can be bartered, it follows they must be subject to ravage just as goods are; and this, too, at a period of civilization, when there is no protecting legislature to defend this their only sort of property, in the same manner as the rights of property are maintained by the legislature of every civilized country. We see then, in the nature of things, how easily the practices of Africa are to be accounted for. Her kings are never compelled to war, that we can hear of, by public principles, by national glory, still less by the love of their people. In Europe it is the extension of commerce, the maintenance of national honor, or some great public object, that is ever the motive to war with every monarch; but, in Africa, it is the personal avarice and sensuality of their kings; these two vices of avarice and sensuality, the most powerful and predominant in natures thus corrupt, we tempt,

we stimulate in all these African princes, and we depend upon these vices for the very maintenance of the slave trade. Does the king of Barbessin want brandy? he has only to send his troops, in the night-time, to burn and desolate a village; the captives will serve as commodities, that may be bartered with the British trader. What a striking view of the wretched state of Africa does the tragedy of Calabar furnish! Two towns, formerly hostile, had settled their differences, and by an intermarriage among their chiefs, had each pledged themselves to peace; but the trade in slaves was prejudiced by such pacifications, and it became, therefore, the policy of our traders to renew the hostilities. This, their policy, was soon put in practice, and the scene of carnage which followed was such, that it is better, perhaps, to refer gentlemen to the Privy Council's report than to agitate their minds by dwelling on it.

The slave trade, in its very nature, is the source of such kind of tragedies; nor has there been a single person, almost, before the Privy Council, who does not add something by his testimony to the mass of evidence upon this point. Some, indeed, of these gentlemen, and particularly the delegates from Liverpool, have endeavored to reason down this plain principle: some have palliated it; but there is not one, I believe, who does not more or less admit it. Some, nay most, I believe, have admitted the slave trade to be the chief cause of wars in Africa. . . .

Having now disposed of the first part of this subject, I must speak of the transit of the slaves to the West Indies. This, I confess, in my own opinion, is the most wretched part of the whole subject. So much misery condensed in so little room is more than the human imagina-

tion had ever before conceived. I will not accuse the Liverpool merchants; I will allow them, nay, I will believe them, to be men of humanity; and I will therefore believe, if it were not for the multitude of these wretched objects, if it were not for the enormous magnitude and extent of the evil which distracts their attention from individual cases, and makes them think generally, and therefore less feelingly on the subject, they never would have persisted in the trade. I verily believe, therefore, if the wretchedness of any one of the many hundred negroes stowed in each ship could be brought before their view, and remain within the sight of the African merchant, that there is no one among them whose heart would bear it. Let any one imagine to himself six or seven hundred of these wretches chained two and two, surrounded with every object that is nauseous and disgusting, diseased, and struggling under every kind of wretchedness! How can we bear to think of such a scene as this? One would think it had been determind to heap on them all the varieties of bodily pain, for the purpose of blunting the feelings of the mind; and yet, in this very point (to show the power of human prejudice), the situation of the slaves has been described by Mr. Norris, one of the Liverpool delegates, in a manner which I am sure will convince the House how interest can draw a film over the eyes, so thick that total blindness could do no more; and how it is our duty therefore to trust not to the reasonings of interested men, or to their way of coloring a transaction.

"Their apartments," says Mr. Norris, "are fitted up as much for their advantage as circumstances will admit. The right ankle of one, indeed, is connected with the left ankle of another by a small iron fetter, and if they are

turbulent, by another on their wrists. They have several meals a day; some of their own country provisions, with the best sauces of African cookery; and by the way of variety, another meal of pulse, etc., according to European taste. After breakfast they have water to wash themselves, while their apartments are perfumed with frankincense and lime juice. Before dinner they are amused after the manner of their country. The song and the dance are promoted," and, as if the whole were really a scene of pleasure and dissipation, it is added that games of chance are furnished. "The men play and sing, while the women and girls make fanciful ornaments with beads, which they are plentifully supplied with." Such is the sort of strain in which the Liverpool delegates, and particularly Mr. Norris, gave evidence before the Privy Council. What will the House think when, by the concurring testimony of other witnesses, the true history is laid open? The slaves, who are sometimes described as rejoicing at their captivity, are so wrung with misery at leaving their country, that it is the constant practice to set sail in the night, lest they should be sensible of their departure. The pulse which Mr. Norris talks of are horse beans; and the scantiness of both water and provision was suggested by the very legislature of Jamaica, in the report of their committee, to be a subject that called for the interference of Parliament.

Mr. Norris talks of frankincense and lime juice; when the surgeons tell you the slaves are stored so close that there is not room to tread among them; and when you have it in evidence from Sir George Yonge, that even in a ship which wanted two hundred of her complement, the stench was intolerable. The song and the dance are

promoted, says Mr. Norris. It had been more fair, perhaps, if he had explained that word "promoted." The truth is, that for the sake of exercise, these miserable wretches, loaded with chains, oppressed with disease and wretchedness, are forced to dance by the terror of the lash, and sometimes by the actual use of it. "I," says one of the other evidences, "was employed to dance the men, while another person danced the women." Such, then, is the meaning of the word "promoted"; and it may be observed too, with respect to food, that an instrument is sometimes carried out, in order to force them to eat, which is the same sort of proof how much they enjoy themselves in that instance also. As to their singing, what shall we say when we are told that their songs are songs of lamentation upon their departure which, while they sing, are always in tears, insomuch that one captain (more humane as I should conceive him, therefore, than the rest) threatened one of the women with a flogging, because the mournfulness of her song was too painful for his feelings. In order, however, not to trust too much to any sort of description, I will call the attention of the House to one species of evidence, which is absolutely infallible. Death, at least, is a sure ground of evidence, and the proportion of deaths will not only confirm, but, if possible, will even aggravate our suspicion of their misery in the transit. It will be found, upon an average of all ships of which evidence has been given at the Privy Council, that exclusive of those who perish before they sail, not less than twelve and one-half per cent perish in the passage. Besides these, the Jamaica report tells you that not less than four and one-half per cent die on shore before the day of sale, which is only a week

or two from the time of landing. One-third more die in the seasoning, and this in a country exactly like their own, where they are healthy and happy, as some of the evidences would pretend. The diseases, however, which they contract on shipboard, the astringent washes which are to hide their wounds, and the mischievous tricks used to make them up for sale, are, as the Jamaica report says —a most precious and valuable report, which I shall often
13 have to advert to—one principal cause of this mortality. Upon the whole, however, here is a mortality of about fifty per cent, and this among negroes who are not bought unless quite healthy at first, and unless (as the phrase is with cattle) they are sound in wind and limb. How then can the House refuse its belief to the multiplied testimonies, before the Privy Council, of the savage treatment of the negroes in the Middle Passage? Nay, indeed, what need is there of any evidence? The number of deaths speaks for itself, and makes all such inquiry superfluous. As soon as ever I had arrived thus far in my investigation of the slave trade, I confess to you, sir, so enormous, so dreadful, so irremediable did its wickedness appear, that my own mind was completely made up for the abolition. A trade founded in iniquity, and carried on as this was, must be abolished, let the policy be what it might—let the consequences be what they would, I from this time determined that I would never rest till I had effected its abolition. . . .

When we consider the vastness of the continent of Africa; when we reflect how all other countries have for some centuries past been advancing in happiness and civilization; when we think how in this same period all improvement in Africa has been defeated by her inter-

course with Britain; when we reflect that it is we ourselves that have degraded them to that wretched brutishness and barbarity which we now plead as the justification of our guilt; how the slave trade has enslaved their minds, blackened their character, and sunk them so low in the scale of animal beings that some think the apes are of a higher class, and fancy the orang-outang has given them the go by. What a mortification must we feel at having so long neglected to think of our guilt, or attempt any reparation! It seems, indeed, as if we had determined to forbear from all interference until the measure of our folly and wickedness was so full and complete; until the impolicy which eventually belongs to vice was become so plain and glaring that not an individual in the country should refuse to join in the abolition; it seems as if we had waited until the persons most interested should be tired out with the folly and nefariousness of the trade, and should unite in petitioning against it.

Let us then make such amends as we can for the mischiefs we have done to the unhappy continent; let us recollect what Europe itself was no longer ago than three or four centuries. What if I should be able to show this House that in a civilized part of Europe, in the time of our Henry VII., there were people who actually sold their own children? What if I should tell them that England itself was that country? What if I should point out to them that the very place where this inhuman traffic was carried on was the city of Bristol? Ireland at that time used to drive a considerable trade in slaves with these neighboring barbarians; but a great plague having infested the country, the Irish were struck with a panic, suspected (I am sure very properly) that the plague was

a punishment sent from heaven for the sin of the slave trade, and therefore abolished it. All I ask, therefore, of the people of Bristol is, that they would become as civilized now as Irishmen were four hundred years ago. Let us put an end at once to this inhuman traffic—let us stop this effusion of human blood. The true way to virtue is by withdrawing from temptation; let us then withdraw from these wretched Africans those temptations to fraud, violence, cruelty, and injustice, which the slave trade furnishes. Wherever the sun shines, let us go round the world with him, diffusing our beneficence; but let us not traffic, only that we may set kings against their subjects, subjects against their kings, sowing discord in every village, fear and terror in every family, setting millions of our fellow-creatures a-hunting each other for slaves, creating fairs and markets for human flesh through one whole continent of the world, and, under the name of policy, concealing from ourselves all the baseness and iniquity of such a traffic. Why may we not hope, erelong, to see Hanse towns established on the coast of Africa as they were on the Baltic? It is said the Africans are idle, but they are not too idle, at least, to catch one another; seven hundred to one thousand tons of rice are annually bought of them; by the same rule why should we not buy more? At Gambia one thousand of them are seen continually at work; why should not some more thousands be set to work in the same manner? It is the slave trade that causes their idleness and every other mischief. We are told by one witness: "They sell one another as they can"; and while they can get brandy by catching one another, no wonder they are too idle for any regular work.

I have one word more to add upon a most material

point; but it is a point so self-evident that I shall be extremely short. It will appear from everything which I have said, that it is not regulation, it is not mere palliatives, that can cure this enormous evil. Total abolition is the only possible cure for it. The Jamaica report, indeed, admits much of the evil, but recommends it to us so to regulate the trade that no persons should be kidnapped or made slaves contrary to the custom of Africa. But may they not be made slaves unjustly, and yet by no means contrary to the custom of Africa? I have shown they may; for all the customs of Africa are rendered savage and unjust through the influence of this trade; besides, how can we discriminate between the slaves justly and unjustly made? or, if we could, does any man believe that the British captains can, by any regulation in this country, be prevailed upon to refuse all such slaves as have not been fairly, honestly, and uprightly enslaved? But granting even that they should do this, yet how would the rejected slaves be recompensed? They are brought, as we are told, from three or four thousand miles off, and exchanged like cattle from one hand to another, until they reach the coast. We see then that it is the existence of the slave trade that is the spring of all this internal traffic, and that the remedy cannot be applied without abolition. Again, as to the Middle Passage, the evil is radical there also; the merchant's profit depends upon the number that can be crowded together, and upon the shortness of their allowance. Astringents, escarotics, and all the other arts of making them up for sale, are of the very essence of the trade; these arts will be concealed both from the purchaser and the legislature; they are necessary to the owner's profit, and they will be practiced. Again, chains and arbitrary

treatment must be used in transporting them; our seamen must be taught to play the tyrant, and that depravation of manners among them (which some very judicious persons have treated of as the very worst part of the business) cannot be hindered, while the trade itself continues. As to the slave merchants, they have already told you that if two slaves to a ton are not permitted, the trade cannot continue; so that the objections are done away by themselves on this quarter; and in the West Indies, I have shown that the abolition is the only possible stimulus whereby a regard to population, and consequently to the happiness of the negroes, can be effectually excited in those islands.

I trust, therefore, I have shown that upon every ground the total abolition ought to take place. I have urged many things which are not my own leading motives for proposing it, since I have wished to show every description of gentlemen, and particularly the West India planters, who deserve every attention, that the abolition is politic upon their own principles also. Policy, however, sir, is not my principle, and I am not ashamed to say it. There is a principle above everything that is political; and when I reflect on the command which says: "Thou shalt do no murder," believing the authority to be Divine, how can I dare to set up any reasonings of my own against it? And, sir, when we think of eternity, and of the future consequences of all human conduct, what is there in this life that should make any man contradict the dictates of his conscience, the principles of justice, the laws of religion, and of God. Sir, the nature and all the circumstances of this trade are now laid open to us; we can no longer pl ignorance, we cannot evade it, it is now an object

placed before us, we cannot pass it; we may spurn it, we may kick it out of our way, but we cannot turn aside so as to avoid seeing it; for it is brought now so directly before our eyes that this House must decide, and must justify to all the world, and to their own consciences, the rectitude of the grounds and principles of their decision. A society has been established for the abolition of this trade, in which Dissenters, Quakers, Churchmen — in which the most conscientious of all persuasions have all united, and made a common cause in this great question. Let not Parliament be the only body that is insensible to the principles of national justice. Let us make reparation to Africa, so far as we can, by establishing a trade upon true commercial principles, and we shall soon find the rectitude of our conduct rewarded by the benefits of a regular and a growing commerce.

APPEAL IN BEHALF OF NEGRO SLAVES IN THE WEST INDIES

WHAT a consideration is this! A nation which, besides the invaluable benefit of an unequalled degree of true civil liberty, has been favored with an unprecedented measure of religious light, with its long train of attendant blessings, has been for two centuries detaining in a state of slavery beyond example rigorous, and in some particulars worse than pagan darkness and depravity, hundreds of thousands of their fellow creatures, originally torn from their native land by fraud and violence! Generation after generation have thus been pining away; and in this same condition of ignorance and degradation they still, for the most part, remain.

This, I am well aware, is an awful charge; but it undeniably is too well founded and scarcely admits of any exception beyond what has been effected by those excellent though too commonly traduced and persecuted men, the Christian missionaries. They have done all that it has been possible for them to do; and through the divine blessing they have indeed done much, especially in the towns and among the household slaves, considering the many and great obstacles with which they have had to contend.

I must not be supposed ignorant that of late years various colonial laws have been passed, professedly with a view to the promoting of religion among the slaves; but they are all, I fear, worse than nullities. In truth, the solicitude which they profess for the personal protection, and still more for the moral interests, of the slaves, contrasted with the apparent forgetfulness of those interests which so generally follows in the same community, might have appeared inexplicable but for the frank declaration of the governor of one of the West Indian islands which stood among the foremost in passing one of these boasted laws for ameliorating the condition of the slaves.

The law contained clauses which, with all due solemnity and with penalties for the non-observance of its injunctions, prescribed the religious instruction of the slaves and the promoting of the marriage institution among them; and in order "to secure, as far as possible, the good treatment of the slaves, and to ascertain the cause of their decrease, if any," it required certificates of the slaves' increase and decrease to be annually delivered on oath, under a penalty of £50 currency. His Majesty's government, some time after, very meritoriously wishing for information as to the state of the slaves, applied to the governor for some of the intelligence

which this act was to provide. To this application the governor, the late Sir George Prevost, replied as follows:

"The act of the legislature entitled 'An act for the encouragement, protection, and better government of slaves,' appears to have been considered, from the day it was passed until this hour, as a political measure to avert the interference of the mother country in the management of slaves."

The same account of the motives by which the legislatures of other West Indian islands were induced to pass acts for ameliorating the condition of the slaves was given by several of the witnesses who were examined in the committee of the House of Commons in 1790 and 1791.

In all that I state concerning the religious interests of the slaves, as well as in every other instance, I must be understood to speak only of the general practice. There are, I know, resident in this country individual owners of slaves, and some, as I believe, even in the colonies, who have been sincerely desirous that their slaves should enjoy the blessings of Christianity; though often, I lament to say, where they have desired it, their pious endeavors have been of little or no avail, so hard is it, especially for absent proprietors, to stem the tide of popular feeling and practice which sets strongly in every colony against the religious instruction of slaves. So hard also, I must add, is it to reconcile the necessary means of such instruction with the harsh duties and harsher discipline to which these poor beings are subjected. The gift even of the rest of the Sabbath is more than the established economics of a sugar plantation permit even the most independent planter to confer, while the law tacitly sanctions its being wholly withheld from them.

Generally speaking, throughout the whole of our West Indian islands the field slaves, or common laborers, instead

of being encouraged or even permitted to devote the Sunday to religious purposes, are employed either in working their provision grounds for their own and their families' subsistence, or are attending, often carrying heavy loads, to the Sunday markets, which frequently, in Jamaica, are from ten to fifteen miles distant from their abodes.

These abuses confessedly continue to prevail in spite of the urgent remonstrances, for more than the last half century, of members of the colonial body, and these sometimes, like Mr. B. Edwards, the most accredited advocates for the interests and character of the West Indians.

The insensibility of the planters, even to the temporal good effects of Christianity on their slaves, is the more surprising because, besides their having been powerfully enforced by self-interest, as I have already stated, in restraining a licentious intercourse between the sexes, they were strongly recommended, especially in the great island of Jamaica, by another consideration of a very peculiar nature. The Jamaica planters long imputed the most injurious effects on the health and even the lives of their slaves to the African practice of Obeah, or witchcraft. The agents for Jamaica declared to the Privy Council in 1788 that they "ascribed a very considerable portion of the annual mortality among the negroes in that island to that fascinating mischief."

I know that of late, ashamed of being supposed to have punished witchcraft with such severity, it has been alleged that the professors of Obeah used to prepare and administer poison to the subject of their spells; but any one who will only examine the laws of Jamaica against these practices, or read the evidence of the agents, will see plainly that this was not the view that was taken of the proceedings of the Obeah men, but that they were considered as impostors who preyed

on their ignorant countrymen by a pretended intercourse with evil spirits, or by some other pretences to supernatural powers. The idea of rooting out any form of pagan superstition by severity of punishment, especially in wholly uninstructed minds, like that of extirpating Christianity by the fire and the fagot, has long been exploded among the well-informed; and it has even been established that the devilish engine of persecution recoils back on its employers and disseminates the very principles it would suppress. Surely then it might have been expected that, if from no other motive, yet that for the purpose of rooting a pagan superstition out of the minds of the slaves, the aid of Christianity would have been called in as the safest species of knowledge, and it was strange if the Jamaica gentlemen were ignorant of the indubitable fact that Christianity never failed to chase away these vain terrors of darkness and paganism.

No sooner did a negro become a Christian than the Obeah-man despaired of bringing him into subjection. And it is well worthy of remark that when, in the outset of our abolition proceedings, his Majesty's Privy Council, among a number of queries sent out to the different West India islands concerning the condition of the slaves, had proposed several concerning the nature and effects of this African superstition of which the Privy Council had heard so much from the agents for Jamaica, the council and assembly of the island Antigua, in which, through the successful labors of the Moravian and Methodist missionaries, great numbers of the slaves had become Christians, resented as an imputation on their understandings the very idea of their being supposed to have considered the practices of the Obeah-men as deserving of any serious attention. Surely then we might have expected that regard for the temporal well-being of the slaves, if not for

their highest interests, would have prompted their owners to endeavor to bring them out of their present state of religious darkness into the blessed light of Christianity. But even self-interest itself appears to lose its influence when it is to be promoted by means of introducing Christianity among the slaves.

If anything were wanting to add the last finishing tint to the dark coloring of this gloomy picture, it would be afforded by a consideration which still remains behind. However humiliating the statement must be to that legislature which exercises its superintendency over every part of the British empire, it is nevertheless true that, low in point of morals as the Africans may have been in their own country, their descendants, who have never seen the continent of Africa, but who are sprung from those who for several successive generations have been resident in the Christian colonies of Great Britain, are still lower. . . .

And now, without a farther or more particular delineation of the slavery of the British colonies, what a system do we behold! Is it too much to affirm that there never was, certainly never before in a Christian country, a mass of such aggravated enormities?

That such a system should so long have been suffered to exist in any part of the British empire will appear to our posterity almost incredible. It had indeed been less surprising if its seat had been in regions—like those of Hindustan, for instance—where a vast population had come into our hands in all the full-blown enormity of heathen institutions; where the bloody superstitions and the unnatural cruelties and immoralities of paganism had established themselves in entire authority, and had produced their natural effects in the depravity and moral degradation of the species; though even in such a case

as that our excuse would hold good no longer than for the period which might be necessary for reforming the native abuses by those mild and reasonable means which alone are acknowledged to be just in principle or practically effectual to their purpose. But that in communities formed from their very origin by a Christian people, and in colonies containing no pagan inhabitants but those whom we ourselves have compulsorily brought into it,—inhabitants too, who from all the circumstances of their case had the strongest possible claims on us, both for the reparation of their wrongs and the relief of their miseries,—such a system should have been continued for two centuries and by a people who may nevertheless, I trust, be affirmed to be the most moral and humane of nations, is one of those anomalies which, if it does not stagger the belief, will at least excite the astonishment of future ages. . . .

I press these topics the more earnestly because there has prevailed among many of our statesmen of late years a most unwarrantable and pernicious disposition to leave all that concerns the well-being of the slaves to the colonial legislatures. Surely this is a course manifestly contrary to the clearest obligations of duty. The very relation in which the negro slaves and the members of the colonial assemblies, which consist wholly of their masters, stand toward each other, is of itself a decisive reason why the imperial legislature ought to consider itself bound to exercise the office of an umpire, or rather of a judge, between them, as constituting two parties of conflicting interests and feelings.

And this, let it be remembered, not merely because, knowing the frailty of our common nature and its disposition to abuse absolute power, we ought not to deliver the weaker party altogether into the power of the stronger, but because in the present instance there are peculiar objections of great

force, some of which have been already noticed. In truth West Indians must be exempt from the ordinary frailties of human nature, if, living continually with those wretched beings and witnessing their extreme degradation and consequent depravity, they could entertain for the negroes in an unimpaired degree the equitable consideration and that fellow feeling which are due from man to man, so as to sympathize properly with them in their sufferings and wrongs, or form a just estimate of their claims to personal rights and moral improvement.

The fact is that though the old prejudice, that the negroes are creatures of an inferior nature, is no longer maintained in terms, there is yet too much reason to fear that a latent impression arising from it still continues practically to operate in the colonies and to influence the minds of those who have the government of the slaves in estimating their physical claims and, still more, those of their moral nature. The colonists indeed and the abolitionists would differ as to facts in speaking of the sufficiency of the slave's supply of food and of his treatment in some other particulars. But on what other principle than that of the inferiority of the species can it be explained that, in estimating what is due to the negroes, all consideration of their moral nature has been altogether left out? When it is undeniable that they have no more power of giving their testimony against any white ruffian by whom they may have been maltreated than if they were of the brute creation; that they are worked like cattle under the whip; that they are strangers to the institution of marriage and to all the blessed truths of Christianity; how, but from their supposed inferiority of nature, could we nevertheless be assured by the colonial legislatures, with the most unhesitating confidence, that whatever defects there might formerly

have been in their treatment, they are now as well used as can reasonably be desired? If such be indeed their opinion, whether that opinion proceeds from the views here intimated or not, it would still suffice to show the criminality of our committing to them the destiny of the slaves. For let it be observed there is not in this instance any difference as to the facts of the case; nor do the colonists affirm what we deny as to the moral degradation of the slaves.

Both parties, for instance, agree that promiscuous intercourse between the sexes and pagan darkness are nearly universal among them; and yet the colonists contend that the slaves are as well treated and governed as they need to be. Can, then, the members of the British Parliament conscientiously devolve the duty of establishing such religious and moral reforms as I trust it must be the universal wish of every member of the empire to introduce among the negroes, upon those who, to say nothing of the extremity of personal degradation, consider marriage and Christianity as unworthy of their regard in estimating the condition of their fellow creatures?

DESMOULINS

LUCIE SIMPLICE CAMILLE BENOIST DESMOULINS was born at Guise in Picardy on the 2d of March, 1760. He was educated at the College of Louis le Grand. He was admitted to the bar of the Parliament of Paris in 1785. In March, 1789, Desmoulins entered upon his political career. Having been nominated Deputy from the bailiwick of Guise, he appeared at Laon as one of the commissioners for the election of Deputies to the States-General summoned on the 24th of January. On the dismissal of Necker, Desmoulins was the chief factor in bringing about the organization of the Parisian militia, and, later, in the taking of the Bastille. From that event dated the public literary career which lasted until his death. On the 15th of July his "La France Libre" was issued and attained wide popularity, securing for him the friendship and protection of Mirabeau. In November, 1789, Desmoulins issued the first number of "Revolutions de France et de Brabant." Its publication ceased in July, 1792. Some time before the death of Mirabeau, Desmoulins had formed an alliance with Danton, with whom he remained associated during the rest of his life. In July, 1791, Desmoulins appeared before the municipality of Paris as the head of a deputation of petitioners for the deposition of the King. On the nomination of Danton to the post of Minister of Justice in 1792, Desmoulins was appointed his Secretary-General. On September 8, he was elected one of the Deputies for Paris to the National Convention and voted for the abolition of royalty and the death of the King. In December, 1793, was issued the first number of the "Vieux Cordelier," by which Danton's idea of clemency was formulated and upheld. On the 31st of March, 1794, Desmoulins was arrested and, on the 5th of April following, was executed by the guillotine.

LIVE FREE OR DIE

FEBRUARY, 1788

ONE difference between the monarchy and the republic, which alone should suffice to make the people reject with horror all monarchical rule and make them prefer the republic regardless of the cost of its establishment, is that in a democracy, though the people may

be deceived, yet, at least, they love virtue. It is merit that they believe they put in power in place of the rascals who are the very essence of monarchies. The vices, the concealments, and the crimes which are the diseases of republics are the very health and existence of monarchies. Cardinal Richelieu avowed openly in his political principles, that "the king should always avoid using the talents of thoroughly honest men." Long before him Sallust said: "Kings cannot get along without rascals. On the contrary, they should fear to trust the honest and the upright."

It is, therefore, only under a democracy that the good citizen can reasonably hope to see a cessation of the triumphs of intrigue and crime; and to this end the people need only to be enlightened.

There is yet this difference between a monarchy and the republic; the reigns of Tiberius, of Claudius, of Nero, of Caligula, of Domitian, had happy beginnings. In fact, all reigns make a joyous entry, but only as a delusion. Therefore the Royalists laugh at the present state of France as if its violent and terrible entry under the republic must always last.

Everything gives umbrage to a tyrant. If a citizen have popularity, he is becoming a rival to the prince. Consequently, he is stirring up civil strife, and is a suspect. If, on the contrary, he flee popularity and seclude himself in the corner of his own fireside, this retired life makes him remarked, and he is a suspect. If he is a rich man, there is an imminent peril that he corrupt the people with his largesses, and he is a suspect. Are you poor? How then! Invincible emperors, this man must be closely watched; no one so enterprising as he who has nothing. He is a suspect! Are you in character sombre, melancholy, or neglectful?

You are afflicted by the condition of public affairs, and are a suspect.

If, on the contrary, the citizen enjoy himself and have resultant indigestion, he is only seeking diversion because his ruler has had an attack of gout, which made his Majesty realize his age. Therefore he is a suspect. Is he virtuous and austere in his habits? Ah! he is a new Brutus with his Jacobin severity, censuring the amiable and well-groomed court. He is a suspect. If he be a philosopher, an orator, or a poet, it will serve him ill to be of greater renown than those who govern, for can it be permitted to pay more attention to the author living on a fourth floor than to the emperor in his gilded palace? He is a suspect.

Has one made a reputation as a warrior—he is but the more dangerous by reason of his talent. There are many resources with an inefficient general. If he is a traitor he cannot so quickly deliver his army to the enemy. But an officer of merit like an Agricola—if he be disloyal, not one can be saved. Therefore, all such had better be removed and promptly placed at a distance from the army. Yes, he is a suspect.

Tacitus tells us that there was anciently in Rome a law specifying the crimes of "lèse-majesté." That crime carried with it the punishment of death. Under the Roman republic treasons were reduced to but four kinds, viz., abandoning an army in the country of an enemy; exciting sedition; the maladministration of the public treasury; and the impairment by inefficiency of the majesty of the Roman people. But the Roman emperors needed more clauses, that they could place cities and citizens under proscription.

Augustus was the first to extend the list of offences that were "lèse-majesté" or revolutionary, and under his suc-

cessors the extensions were made until none was exempt. The slightest action was a state offence. A simple look, sadness, compassion, a sigh, even silence was "lèse-majesté" and disloyalty to the monarch. One must needs show joy at the execution of their parent or friend lest they would perish themselves. Citizens, liberty must be a great benefit, since Cato disembowelled himself rather than have a king. And what king can we compare in greatness and heroism to the Cæsar whose rule Cato would not endure? Rousseau truly says: "There is in liberty as in innocence and virtue a satisfaction one only feels in their enjoyment and a pleasure which can cease only when they are lost."

THE APPEAL TO THE PEOPLE

SPEECH DELIVERED DURING THE TRIAL OF LOUIS XVI

SHALL France become a republic, or shall she seek in a monarchy repose from her weariness of the never-ceasing treacheries of her representatives? Shall we become a part of the Prussian or Austrian monarchies, or shall France be divided into federated republics? Shall Paris, as the price of her civism and sacrifices, wade in blood? Will you decree her complete destruction, the depopulation of eighty-four provinces, and perhaps fifty years of civil war? What do I say! Will it be you yourselves who affirm that you merit the scaffold? Such is the extraordinary argument that, I maintain, has come to be the order of the day! Such are the days of peace, of order, of happiness that you propose to give to the worn-out nation, such the judgment you demand against your very selves!

I hear ceaseless talk of our appearance in the eyes of Europe

and of posterity; in all honesty let us understand ourselves! If it be true that the gaze of Europe and of future generations is to rest upon us, how can it refrain from being, I do not say on the part of Europe (for in her present state of degradation she has no right to despise any one), but on the part of posterity, with the utmost contempt?

What! We call ourselves the National Convention of France, that is to say, the revolutionary representation, and, until the veto of the Sovereign All-powerful, of twenty-four millions of men. There presides over us the image of the first Brutus, and searching among the ruins of antiquity we gather up the lightest words of his followers, the name alone being sufficient to cause the enthusiastic adoption of the most unjust motions.

Differing from each other in opinions, all are united in vieing with each other for the name of Brutus, and yet here are four months that seven hundred and forty of us, each a would-be Brutus, deliberate gravely whether a tyrant be not inviolable.

The Brutus of Nancy, Salle, debates; listen, citizens, these are his words: "Whether it be not to tarnish his memory with an iniquitous regicide;" and the Brutus of Perpignan, Biroteau, not being able to imagine even why the Republicans demand the death of Louis because he is a king, elegantly characterizes the opinions of his ancestors as the croakings of frogs in a marsh.

These interminable discussions between our Brutus-like and Cassius-like members, the voice of whose conscience will not permit the putting to death of a perjured king who has been both a Cæsar and a Catiline combined, will have at least the good effect of allowing the so-called tyrants of debate to obtain a hearing.

What a strange part, during the rule of tyranny, of the triumvirate, of the dictatorship, has been mine in an assembly where, for four months, it has not once been possible for me to express my opinions without being called to order by the Convention.

I am permitted then once to mount the tribune, and to rise to the height of Lanjuinais and of Bizot, whose sole fault in the eyes of the insignificant Edmé consists in being too learned. I come in my turn, and I have no mind to let escape this unique occasion for showing you what I think of our political situation, so closely allied to this discussion that I shall not be obliged to depart from the order of the day.

I am far from being discouraged! Read the annals of all nations and you see how a few good men have sufficed to counterbalance the power, the intrigues, and the multitude of the evil-minded.

See the republic in Holland, so long hanging on the verge of ruin, sustained by a Barneveldt, the two Carneilles, and Jean de Witt; by Pym, Hampden, and John Hollis in England; by Cato and Cicero in Rome! See Cato alone bravely battling against the genius and victories of Cæsar solely by his probity and patriotism! Call to mind how in all times there has been this woeful dearth of patriots, unwavering and of noble character!

Behold the conspirators against Cæsar, on the morrow of the most glorious of tyrannicides obliged to seek shelter in flight from the fury of the populace! Look backward upon the last century in Europe; call to mind that it is not long since a man who had done nothing save travel all his life said that he would gladly have remained in some one city, had he found a single place where power and influence were in the hands of worthy men! Look again at the English

Parliament,—and not only at the crowds of pensioners of the Georges, but at the party of the Opposition,—that is but a comedy and a sham of Publicola to banish from the English people all idea of nominating champions for themselves by making them believe that defenders were already to be found in the House of Commons, and then say what hopes should the country and generation not cherish, when it counts in this assembly, not only one or two, but more than a hundred members, determined, as Robespierre has said, to defend the cause of liberty as did Hampden and Sidney, and to bring their own heads to the scaffold rather than betray her.

Nevertheless I must admit that I have never less desired the Republic than since we have the Republic. What is it in short that constitutes a republic? Montesquieu has told you that it is the equality of rights; and the Constituent Assembly that had proclaimed this equality had said, "The law, which, whether it protect or whether it punish, is equal for all," had made of France a republic, whatever name it had given to the constitution, for it is not the name that the notary gives to the document, but the substance of it, that determines its character. It was then correct to say that we became a republic in 1789, as it now appears true that we have once again become a monarchy in 1793, since while all of us have agreed that Louis was a traitor and condemned him to death you reserve to him the appeal to the people. Tell me no more that you are republicans, that you have in your hearts the hatred of royalty!

You, republicans! You do not believe it even yourselves! You well know that in the sight of republicans all men are equal! I deceive myself; you well know that there is but a single man that the true republican is unable to regard as a man in whom he is not able to see, like Cato and like Homer,

only an anthropophagous biped, and that this hostile animal is a king! We do not ask that, like Cato, you degrade Louis Capet below the human race and that you rank him with wild beasts, but that at least you do not make of him a privileged being and one by nature superior. Do not talk to me of "reasons of state," for since you have made of France a republic, and after you have condemned Louis Capet to death for his crimes, to bring into use for him the privilege of appeal that is denied to other malefactors is to lay violent hands on the doctrine of equality, is to overthrow the Republic and your work. Certainly the first "reason of state" is for us to maintain the Republic.

If, instead of feeling within the depths of our hearts that hatred which every republican has for a tyrant, you devise for him a privilege; if you can look upon the throne as an enchanted scaffold from which this brigand sees the miserable beings whom he plunders and assassinates prostrate themselves trembling at his feet, it is the base blood of slaves and not that of Brutus that runs in your veins, and I thrust you back among these aristocrats, these despicable Feuillants who on the 24th of September, having risen royalists, have retired to rest republicans.

You seek in vain to palliate this royalism by an alternative that has been widely proclaimed — either the nation desires the death of Louis or it does not desire it; in the first case the judgment will be confirmed, in the second the sovereign has the right to veto it.

At the first glance this alternative is its own answer to those who have brought it forward. Either they believe that the nation wishes the death of the tyrant and therefore appeal is useless; or they are in doubt if it wishes it; that is to say, whether all the citizens desire that justice shall be the same

for every one; it is to say whether the French people are republicans; but if they doubt whether the nation be republican, why do they, who pretend so great respect for the will of the sovereign people, why, I say, do they not fear to offend it in decreeing the republic? Why did they not at that time bring forward this alternative? Either the people desire the republic or they do not desire it!

Why, when it is a question of prosecuting this scoundrel, convicted of a thousand crimes, as they themselves avow, why this appeal of the Convention to the nation which has not demanded it, although it is a question of changing its government and uprooting a monarchy that has endured for fifteen centuries. Why? Here it is, and it is of the utmost importance that it should be known.

It is because on the 21st of September, 1792, the aristocrats were still held in check by fear—of all masters the one whose lessons are soonest forgotten—that to-day royalism everywhere begins to rear its insolent head; it is in one word that on the 21st of September the plot for civil war and federalism had not been matured.

Who cannot see between the two alternatives of the dilemma yet a third, which is inevitable and leads directly to civil war! The greatest absurdity of this alternative lies in the impossible supposition that the entire nation is united in its desire either for or against the death of the tyrant, and in not recognizing, what is incontrovertible, that while one portion of the nation will it, another portion does not. Rabaud, who finds the reasoning of Salle irrefutable, has not seen that the dilemma lacked this third fact without which it could not be sustained. It is impossible to dispute the possibility of this alternative that one section of a province will vote white while another will vote black — and from that

time behold us embarked upon a sea which has neither bottom nor shores.

For I can readily distinguish a minority in a tribunal, in a nation, in a convention, in a commission, in any assembly of delegates whatever, but in the chaos occasioned by the decay and dissolution of an ancient government, and when a people desires a new constitution, it is the greatest, the most difficult question of public rights to determine either majority or minority in the early and elementary assemblies.

All the speakers on the same side who have preceded me have not failed to point out the bad faith of these appellants who, glossing over, by a pretended respect for their sovereign, an edict for civil war, display themselves so shamelessly that in the same decree they do not scruple to circumscribe the people in the subjects of their deliberations, and to enclose the nation within the circle of Popilius.

How they are to be pitied, these delegates whose constituents impose upon them this order; how the primary assemblies will respond to Vergniaud, Gensonne, Buzot, and Brissot? "Who are you to-day? Do you not know that the power of representatives ceases from the moment that the represented appear, and that fiction disappears before reality?" This maxim of Jean Jacques Rousseau is so trite and so incontrovertible that even in the palmiest days of the reign of the aristocracy, that is to say in the time of the Roman senate, all the power of the conscript fathers was not able to conceal the fact that it was not possible to convene the Senate on the day of the comitia, the people not being able to recognize any other power or any other will co-existent with its own from the moment when it should rise and extend over the whole empire its sovereign hand.

Already, despite your decree that condemns to death who-

ever shall propose the re-establishment of a monarchy, are we not deluged with writings in which it is maintained that the republic is only provisional? Do you doubt that in your primary assemblies, at least in some of them, evil-minded men are not found to plead the cause of the kingdom along with that of the king? On the frontiers, where you had at least a hundred thousand, yes, two hundred thousand patriots who perished, are aristocrats who, no longer having hope from the enemy from without, hope everything from the enemy that is within, and return to their own provinces; or political exiles who return from all directions, until Paris is completely filled, and who, despoiled of everything, battle desperately for the restoration of the monarchy and their own fortunes. And take heed, citizens, in case this appeal to the people is made, that the people do not claim it again! It is the time when the tyrants of Europe behold their own danger, if they do not ruin us, seeing that, as Lord Longborough said recently in the House of Lords, "Your enactment of the 15th of November is hostile to all governments, and gives to all rebels daggers upon the blades of which is written, 'There shall be no kings.'"

Meantime I tremble when I reflect upon the extreme necessity on the part of tyrants to overthrow the republic, recalling the corruption of our manners, of our egotism. I seem to see these tyrants, with their evil minions, prowling about our maritime cities to gain influence among the Jacobins in our army, within our walls, and above all in the Convention, everywhere to purchase at any price whoever is not incorruptible, addressing themselves by turns to the love of royalty, to cupidity, to fear, to fanaticism, to self-love, to jealousy, to hatred, to patriotism itself, which they mislead, and unite all their interests, all their fury, against our country. How

much do you require, you, to prevent the condemnation to the scaffold and the execution, in effigy, of all kings in one, while you wait to pledge yourselves to the monarchy? And you, to betray the city before a million eyes, in the sight of which it will ever be impossible for you to frame a constitution for the aristocracy? And you, how much do you demand to ruin this city, the terror of intriguers? And you, to disaffect and disunite this coalition of Jacobin societies, the terror of kings? And you, popular agitators, sellers of patriotism, how much do you ask? And you, pusillanimous judges, who have in your view the tragic end of Charles I, how much do you require to cure your fear, to release you from responsibility by an appeal to the people, and in any case to procure for you a retreat in London, by aiding Pitt to obtain this appeal? And you, hypocrites of a disappointing and disorganizing philosophy, how much do you ask to gain over to your interests the hypocrites of religion? And, you, finally, whose complicity with the tyrant cannot fail to be discovered sooner or later, in fact has already become known, despite the precautions of Roland, what is the amount of your bribe?

Take heed, therefore, citizens, how our common enemies hasten to convoke these primary assemblies, and, in short, how favorable is the moment for them. It is when, by force of tactics obliging us by continual attacks to think of our own defence, by giving us no place on committees, by not allowing us to approach the tribune, that the impossibility of doing anything for the Republic has been forced upon us; it is when, for four months, the national convention, the hope of the universe, and which should be the theatre of its enfranchisement, has been seldom other than an arena for gladiators and a court-room where Master Scévola, holding thirty audiences until six o'clock at night to plead the inviolability of the

tyrant, has covered us with ridicule in the eyes of posterity. It is when, during four months, the real triumvirs who negotiated with the king have, with a perversity unparalleled, devoted themselves to the calumniation of the most worthy citizens, and to the banishment from the tribune of all those respected on account of their good sense and unwavering patriotism, who have made themselves masters of all our deliberations and have drawn the assembly into the most impolitic measures.

We at least cannot be accused; and if the Convention has done nothing for the Republic we are absolved, since we have been made a powerless minority. Thanks, then, be rendered to Vergniaud and to those who, calling themselves the majority, have shielded us from public indignation, and have so nobly taken the pains to justify us, by this single word, before the primary assemblies, before Europe, and before posterity. Here is my draft for the proposed decree:

"The National Convention declares that Louis Capet merits death. It hereby decrees that, accordingly, a scaffold shall be erected in the Place Carrousel, whither Louis shall be conveyed, bearing a placard with these words in front, 'Perjured and a traitor to the nation,' and behind, 'King,' to show to all peoples that to it may not be ascribed the dishonor of the crime of continuing a monarchy which has endured even fifteen hundred years.

"Decrees further, that the vault of kings at St. Denis shall be henceforth the burial-place of thieves, assassins, and of traitors.

"Orders the Minister of Justice and the Commandant of the National Guard to render account to it within twenty-four hours of the execution of the foregoing decree."

[Special translation by Mary E. Adams.]

GALLATIN

ALBERT GALLATIN, an American statesman and financier, was born in Geneva, Switzerland, January 29, 1761. He was educated at the University of Geneva, but came to America in 1780 and served as a volunteer in the Continental army. He was afterwards professor of French at Harvard University. In 1783, on the receipt of his patrimony from Switzerland, he settled in Pennsylvania, and was elected to Congress from that State, but owing to the fact of his having been so few years in America he was not allowed to take his seat until 1795. He served three terms as representative, and in 1801 was appointed secretary of the treasury by Jefferson, having already won a reputation as an able student of finance by his "Sketch of Finances" (1796); and "Views of Public Debt" (1800). Gallatin remained at the head of the treasury department for twelve years, and on account of his sound judgment was influential in directing affairs in other departments also, particularly in regard to the retrenchment policy of the government and its attitude towards financial reform. In 1813 he went to Russia as envoy extraordinary; but upon the English refusal of the mediation of Russia he proceeded to Ghent, where he and his associates negotiated and signed the treaty of peace. Shortly afterwards he, with Adams and Clay, signed a commercial convention between England and the United States. Declining to resume his former post at the head of the treasury he accepted that of minister to France, which he held until 1823. In that year he again declined a cabinet position and also a nomination for the vice-presidency in 1826. In 1830 he was chosen president of the council of the University of the City of New York, and he filled the office of president of the National Bank, 1830-39. Gallatin's political views were those of a moderate anti-Federalist, but he was always broad-minded and impartial in his attitude. He was deeply interested in science, and was not only the first president of the American Ethnological Society, but president of the New York Historical Society from 1843 until his death at Astoria, New York, August 12, 1849. His writings, in six volumes, edited by H. Adams, appeared in 1879.

SPEECH ON THE BRITISH TREATY

[A treaty of amity, commerce, and navigation between the United States and Great Britain was concluded on the nineteenth of November, 1794. Subsequently it was ratified by the president. On the second of March, 1796, the President proclaimed it the law of the land, and the same day communicated it to the House of Representatives in order that the necessary appropriations might be made to carry it into effect. On the twenty-sixth of April following, in Committee of the Whole on the subjoined resolution: "Resolved, as the opinion of this Committee, that it is expedient to pass the laws necessary for carrying into effect the treaty with Great Britain," Mr. Gallatin spoke thus:]

MR. CHAIRMAN,—I will not follow some of the gentlemen who have preceded me by dwelling upon the discretion of the legislature; a question which has already been the subject of our deliberations, and been decided by a solemn vote. Gentlemen who were in the minority on that question may give any construction they please to the declaratory resolution of the House; they may again repeat that to refuse to carry the treaty into effect is a breach of the public faith which they conceive as being pledged by the President and Senate.

This has been the ground on which a difference of opinion has existed since the beginning of the discussion. It is because the House thinks that the faith of the nation cannot, on those subjects submitted to the power of Congress, be pledged by any constituted authority other than the legislature, that they resolved that in all such cases it is their right and duty to consider the expediency of carrying a treaty into effect. If the House think the faith of the nation already pledged they cannot claim any discretion; there is no room left to deliberate upon the expediency of the thing. The resolution now under consideration is merely "that it is expedient to carry the British treaty into effect," and not whether we are bound by national faith to do it. I will therefore consider the question of expediency alone; and, thinking as I do that the House has full discretion on this subject, I conceive that there is as much responsibility in deciding in the affirmative as in rejecting the resolution, and that we shall be equally answerable for the consequences that may follow from either.

It is, however, true that there was a great difference between the situation of this country in the year 1794, when a negotiator was appointed, and that in which we are at present; and that consequences will follow the refusal to carry into

effect the treaty in its present stage which would not have attended a refusal to negotiate and to enter into such a treaty. The question of expediency therefore assumes before us a different and more complex shape than when before the negotiator, the Senate, or the President. The treaty in itself and abstractedly considered may be injurious; it may be such an instrument as in the opinion of the House ought not to have been adopted by the Executive; and yet such as it is we may think it expedient under the present circumstances to carry it into effect. I will therefore first take a view of the provisions of the treaty itself, and in the next place, supposing it is injurious, consider, in case it is not carried into effect, what will be the natural consequences of such refusal.

The provisions of the treaty relate either to the adjustment of past differences or to the future intercourse of the two nations. The differences now existing between Great Britain and this country arose either from non-execution of some articles of the treaty of peace or from the effects of the present European war. The complaints of Great Britain in relation to the treaty of 1783 were confined to the legal impediments thrown by the several States in the way of the recovery of British debts. The late treaty provides adequate remedy on that subject; the United States are bound to make full and complete compensation for any losses arising from that source, and every ground of complaint on the part of Great Britain is removed.

Having thus done full justice to the other nation, America has a right to expect that equal attention shall be paid to her claims arising from infractions of the treaty of peace, namely, compensation for the negroes carried away by the British; restoration of the western posts, and indemnification for their

On the subject of the first claim which has been objected to as groundless, I will observe that I am not satisfied that the construction given by the British government to that article of the treaty is justified even by the letter of the article. That construction rests on the supposition that slaves come under the general denomination of booty, and are alienated the moment they fall into the possession of an enemy, so that all those who were in the hands of the British when the treaty of peace was signed must be considered as British and not as American property, and are not included in the article.

It will, however, appear, by recurring to Vattel when speaking of the right of "Postliminium," that slaves cannot be considered as a part of the booty which is alienated by the act of capture, and that they are to be ranked rather with real property, to the profits of which only the captors are entitled. Be that as it may, there is no doubt that the construction given by America is that which was understood by the parties at the time of making the treaty. The journals of Mr. Adams, quoted by a gentleman from Connecticut, Mr. Coit, prove this fully; for when he says that the insertion of this article was alone worth the journey of Mr. Laurens from London, can it be supposed that he would have laid so much stress on a clause which, according to the new construction now attempted to be given, means only that the British would commit no new act of hostility—would not carry away slaves at that time in possession of Americans? Congress recognized that construction by adopting the resolution which has been already quoted, and which was introduced upon the motion of Mr. Alexander Hamilton, and it has not been denied that the British ministry during Mr. Adams' embassy also agreed to it.

But when our negotiator had, for the sake of peace, waved that claim; when he had also abandoned the right which

America had to demand an indemnification for the detention of the posts, although he had conceded the right of a similar nature which Great Britain had for the detention of debts; when he had thus given up everything which might be supposed to be of a doubtful nature, it might have been hoped that our last claim—a claim on which there was not and there never had been any dispute—the western posts should have been restored according to the terms of the treaty of peace.

Upon what ground the British insisted and our negotiator conceded that this late restitution should be saddled with new conditions which made no part of the original contract I am at a loss to know. British traders are allowed by the new treaty to remain within the posts without becoming citizens of the United States; and to carry on trade and commerce with the Indians living within our boundaries without being subject to any control from our government. In vain is it said that if that clause had not been inserted we would have found it to our interest to effect it by our own laws. Of this we are alone competent judges; if that condition is harmless at present it is not possible to foresee whether under future circumstances it will not prove highly injurious; and whether harmless or not it is not less a permanent and new condition imposed upon us. But the fact is that by the introduction of that clause, by obliging us to keep within our jurisdiction as British subjects the very men who have been the instruments used by Great Britain to promote Indian wars on our frontiers; by obliging us to suffer those men to continue their commerce with the Indians living in our territory, uncontrolled by those regulations which we have thought necessary in order to restrain our own citizens in their intercourse with these tribes, Great Britain has preserved her full influence with the Indian nations. By a restoration of the posts under that condition we

have lost the greatest advantage that was expected from their possession, namely, future security against the Indians. In the same manner have the British preserved the commercial advantages which result from the occupancy of those posts by stipulating as a permanent condition a free passage for their goods across our portages without paying any duty.

Another article of the new treaty which is connected with the provisions of the treaty of 1783 deserves consideration; I
14 mean what relates to the Mississippi. At the time when the navigation of that river to its mouth was by the treaty of peace declared to be common to both nations, Great Britain communicated to America a right which she held by virtue of the treaty of 1763 and as owner of the Floridas; but since that cession to the United States, England has ceded to Spain her claim on the Floridas and does not own at the present time an inch of ground either on the mouth or on any part of that river. Spain now stands in the place of Great Britain, and by virtue of the treaty of 1783 it is to Spain and America, and not to England and America, that the navigation of the Mississippi is at present to be common.

Yet, notwithstanding this change of circumstances, we have repeated this article of the former treaty in the late one, and have granted to Great Britain the additional privilege of using our ports on the eastern side of the river, without which, as they own no land thereon, they could not have navigated it. Nor is this all. Upon a supposition that the Mississippi does not extend so far northward as to be intersected by a line drawn due west from the Lake of the Woods, or, in other words, upon a supposition that Great Britain has not a claim even to touch the Mississippi, we have agreed, not upon what will be the boundary line, but that we will hereafter negotiate to settle that line.

Thus leaving to future negotiations what should have been finally settled by the treaty itself, in the same manner as all other differences were, is calculated for the sole purpose either of laying the foundation of future disputes or of recognizing a claim in Great Britain on the waters of the Mississippi, even if their boundary line leaves to the southward the sources of that river.

Had not that been the intention of Great Britain, the line would have been settled at once by the treaty according to either of the two only rational ways of doing it in conformity to the treaty of 1783; that is to say, by agreeing that the line should run from the northernmost sources of the Mississippi either directly to the western extremity of the Lake of the Woods, or northwardly till it intersected the line to be drawn due west from that lake. But by repeating the article of the treaty of 1783, by conceding the free use of our ports on the river, and by the insertion of the fourth article, we have admitted that Great Britain in all possible events has still a right to navigate that river from its source to its mouth. What may be the future effects of these provisions, especially as they regard our intercourse with Spain, it is impossible at present to say; but although they can bring us no advantage they may embroil us with that nation; and we have already felt the effect of it in our late treaty with Spain, since we were obliged, on account of that clause of the British treaty, to accept as a gift and a favor the navigation of that river which we had till then claimed as a right.

The seventh article of the treaty is intended to adjust those differences which arose from the effects of the present European war. On that article it may also be observed that whilst it provides a full compensation for the claims of the British, it is worded in such a manner, when speaking of the indemnifica-

tion for spoliations committed on the American commerce, as will render it liable to a construction very unfavorable to our just claims on that ground. The commissioners to be appointed by virtue of that article are to take cognizance and to grant redress only in those cases where, by reason of irregular or illegal captures or condemnation, made under color of authority or commissions from the King of Great Britain, losses have been incurred, and where adequate compensation cannot now be actually obtained by the ordinary course of judicial proceedings.

If Great Britain should insist that since the signing of the treaty they had, by admitting appeals to their superior courts, afforded a redress by the ordinary course of judicial proceedings; if those courts were to declare that the captures complained of were neither illegal nor made under color, but by virtue of authority or commissions from the king; and if that construction should prevail with the commissioners, the indemnification which our plundered merchants would actually receive in consequence of the provisions of this article would fall very short of their expectations and of their just claims. Yet this article, considering the relative situation of the two countries at the time when the negotiation took place, is as much as could reasonably have been expected by America. When a weak nation has to contend with a powerful one it is gaining a great deal if the national honor is saved even by the shadow of an indemnification and by an apparent concession on the part of the aggressor; and however objectionable the article might appear at first view, I am, on the whole, satisfied with it.

The remaining provisions of the treaty have no connection with past differences; they make no part of the convention which was the avowed object of Mr. Jay's mission; they apply

solely to the future intercourse of the two nations as relating to commerce and navigation; and had they been entirely omitted our differences would have been nevertheless adjusted. It is agreed on all hands that, so far as relates to our commerce with Great Britain, we want no treaty. The intercourse, although useful perhaps to both parties, is more immediately necessary to England, and her own interest is a sufficient pledge of her granting us at all times a perfect liberty of commerce to her European ports. If we want to treat with her it must be in order to obtain some intercourse with her colonies and some general security in our navigation. . . .

Whatever evils may follow a rejection of the treaty, they will not attend a postponement. To suspend our proceedings will not throw us into a situation which will require new negotiations, new arrangements on the points already settled and well understood by both parties. It will be merely a delay until an explanation of the late conduct of the British toward us may be obtained, or until that conduct may be altered. If, on the contrary, we consent to carry the treaty into effect under the present circumstances, what will be our situation in future? It is by committing the most wanton and the most unprovoked aggressions on our trade; it is by seizing a large amount of our property as a pledge for our good behavior, that Great Britain has forced the nation into the present treaty.

If by threatening new hostilities, or rather by continuing her aggressions, even after the treaty is made, she can force us also to carry it into effect, our acquiescence will be tantamount to a declaration that we mean to submit in proportion to the insults that are offered to us, and this disposition being once known, what security have we against new insults, new aggressions, new spoliations which probably will lay the founda-

tion of some additional demands on the part of the aggressor, and of some additional sacrifice on ours? It has been said, and said with truth, that to put up with the indignities we have received without obtaining any reparation, which will probably be the effect of defeating the treaty, is highly dishonorable to the nation. In my opinion it is still more so not only tamely to submit to a continuation of these national insults, but, while they thus continue uninterrupted, to carry into effect the instrument we have consented to accept as a reparation for former ones. When the general conduct of Great Britain towards us from the beginning of the present war is considered, when the means by which she has produced the treaty are reflected on, a final compliance on our part while she still persists in that conduct, whilst the chastening rod of that nation is still held over us, is in my opinion a dereliction of national interest, of national honor, of national independence.

But it is said that war must be the consequence of our delaying to carry the treaty into effect. Do the gentlemen mean that if we reject the treaty, if we do not accept the reparation there given to us, in order to obtain redress, we have no alternative left but war? If we must go to war in order to obtain reparation for insults and spoliations on our trade, we must do it even if we carry the present treaty into effect, for this treaty gives us no reparation for the aggressions committed since it was ratified, has not produced a discontinuance of those acts of hostility, and gives us no security that they shall be discontinued.

But the arguments of those gentlemen who suppose that America must go to war apply to a final rejection of the treaty and not to a delay. I do not propose to refuse the reparation offered by the treaty and to put up with the aggressions com-

mitted; I have agreed that that reparation, such as it is, is a valuable article of the treaty; I have agreed that under the present circumstances a greater evil will follow a total rejection of than an acquiescence in the treaty. The only measure which has been mentioned in preference of the one now under discussion is a suspension, a postponement whilst the present spoliations continue, in hopes to obtain for them a similar reparation and assurances that they shall cease.

But is it meant to insinuate that it is the final intention of those who pretend to wish only for a postponement to involve this country in a war? There has been no period during the present European war at which it would not have been equally weak and wicked to adopt such measures as must involve America in the contest unless forced into it for the sake of self-defence; but, at this time, to think of it would fall but little short of madness. The whole American nation would rise in opposition to the idea, and it might at least have been recollected that war cannot be declared except by Congress, and that two of the branches of government are sufficient to check the other in any supposed attempt of this kind.

If there is no necessity imposed upon America to go to war, if there is no apprehension she will by her own conduct involve herself in one, the danger must arise from Great Britain, and the threat is that she will make war against us if we do not comply. Gentlemen first tell us that we have made the best possible bargain with that nation; that she has conceded everything without receiving a single iota in return; and yet they would persuade us that she will make war against us in order to force us to accept that contract so advantageous to us and so injurious to herself. It will not be contended that a delay until an amicable explanation is obtained could afford even a pretence to Great Britain for going to war, and we all

know that her own interest would prevent her. If another campaign takes place it is acknowledged that all her efforts are to be exerted against the West Indies. She has proclaimed her own scarcity of provisions at home, and she must depend on our supplies to support her armament.

It depends upon us to defeat her whole scheme, and this is a sufficient pledge against open hostility if the European war continues. If peace takes place there will not be even the appearance of danger; the moment when a nation is happy enough to emerge from one of the most expensive, bloody, and dangerous wars in which she ever has been involved will be the last she would choose to plunge afresh into a similar calamity.

But to the cry of war the alarmists do not fail to add that of confusion, and they have declared, even on this floor, that if the resolution is not adopted government will be dissolved. Government dissolved in case a postponement takes place! The idea is too absurd to deserve a direct answer. But I will ask those gentlemen, by whom government is to be dissolved? Certainly not by those who may vote against the resolution, for although they are not perhaps fortunate enough to have obtained the confidence of the gentlemen who voted against them, still it must be agreed that those who succeed in their wishes, who defeat a measure they dislike, will not wish to destroy that government which they hold so far in their hands as to be able to carry their own measures. For them to dissolve government would be to dissolve their own power. By whom then, I again ask, is the government to be dissolved?

The gentlemen must answer—by themselves—or they must declare that they mean nothing but to alarm. Is it really the language of those men who profess to be, who distinguish themselves by the self-assumed appellation of, friends to

order, that if they do not succeed in all their measures they will overset government — and have all their professions been only a veil to hide their love of power, a pretence to cover their ambition?

Do they mean that the first event which shall put an end to their own authority shall be the last act of government? As to myself, I do not believe that they have such intentions; I have too good an opinion of their patriotism to allow myself to admit such an idea a single moment, but I think myself justifiable in entertaining a belief that some amongst them, in order to carry a favorite, and what they think to be an advantageous measure, mean to spread an alarm which they do not feel, and I have no doubt that many have contracted such a habit of carrying every measure of government as they please, that they really think that everything must be thrown into confusion the moment they are thwarted in a matter of importance. I hope that experience will in future cure their fears.

But at all events, be the wishes and intentions of the members of this House what they may, it is not in their power to dissolve the government. The people of the United States, from one end of the continent to the other, are strongly attached to their constitution; they would restrain and punish the excesses of any party, of any set of men in government who would be guilty of the attempt, and on them I will rest as a full security against every endeavor to destroy our union, our constitution, or our government.

But although I am not afraid of a dissolution, I feel how highly desirable is a more general union of sentiment; I feel the importance of an agreement of opinion between the different branches of government, and even between the members of the same branch. I would sacrifice much to obtain

that object; it has been one of the most urging motives with me to be in favor, not of a rejection, but only of a suspension of a delay. But even as a matter of opinion it is difficult to say which mode of proceeding in this house will best accord with the general sentiments of the people.

So far as relates to the petitions before us, the number of signatures against the treaty exceeds, at the moment I am speaking, the number of those in favor of the treaty. Amongst the last, some have come from one part of the Union, where it seems, both from the expressions in the petition itself and from the proceedings there, that a great inducement in the petitioners to sign was a wish to carry the treaty with Spain into effect, as they appear to suppose that its fate depends upon that of the British treaty. How they would act upon the British treaty alone and unconnected with the other I do not know, nor have I any evidence which enables me to form an opinion thereon. All I know is that until the Spanish treaty was made they were perfectly silent on the subject of the other treaty and never expressed an opinion upon it alone.

True it is that an alarm which has produced a combination has lately taken place amongst the merchants of this and some other seaports. What effect it will have, and how successful they will eventually be in spreading this alarm amongst the people at large, I cannot tell, but there are circumstances accompanying their petition which, in my opinion, much diminish the weight they otherwise might have had. They have undoubtedly a right to petition upon every public measure where they think themselves interested, and their petitions deserve equal regard with those of their fellow citizens throughout the United States.

But on this occasion, in order to create an alarm, in order

to induce the people to join them, in order to force the House to pass the laws relative to the treaty, they have formed a dangerous combination, and affected to cease insuring vessels, purchasing produce, and transacting any business.

A gentleman from New York, Mr. Williams, has been so much alarmed himself that he has predicted a fall in the price of every kind of produce, and seems indeed to have supposed that the clamors of a few individuals here would either put an end to or satisfy the wants of those nations which depend on us for supplies of provisions. Yet it has so happened, and it is a complete proof that the whole is only an alarm, that whilst we have been debating, the price of flour, which was of very dull sale two weeks ago, has risen in equal proportion with the supposed fears of the purchasers. I cannot help considering the cry of war, the threats of a dissolution of government, and the present alarm, as designed for the same purpose, that of making an impression on the fears of this House. It was through the fear of being involved in a war that the negotiation with Great Britain originated; under the impression of fear the treaty has been negotiated and signed; a fear of the same danger, that of war, has promoted its ratification, and now every imaginary mischief which can alarm our fears is conjured up in order to deprive us of that discretion which this House thinks they have a right to exercise, and in order to force us to carry the treaty into effect.

If the people of the United States wish this House to carry the treaty into effect immediately, and notwithstanding the continued aggressions of the British, if their will was fairly and fully expressed, I would immediately acquiesce; but since an appeal has been made to them it is reasonable to suspend a decision until their sentiments are known.

Till then I must follow my own judgment, and as I cannot

see that any possible evils will follow a delay, I shall vote against the resolution before the committee in order to make room either for that proposed by my colleague, Mr. Maclay, or for any other, expressed in any manner whatever, provided it embraces the object I have in view, to wit, the suspension of the final vote—a postponement of the laws necessary to carry the treaty into effect until satisfactory assurances are obtained that Great Britain means in future to show us that friendly disposition which it is my earnest wish may at all times be cultivated by America towards all other nations.

DEXTER

SAMUEL DEXTER, an American jurist, was born in Boston, Massachusetts, May 14, 1761. He was the son of a wealthy merchant, prominent as a patriot during the American Revolution, and was educated at Harvard University. He studied law at Worcester in his native State and after practising there with success removed to Boston, which continued to be his home henceforward. In his political views he was a Federalist and sided with that party on his entrance into the United States Senate in 1798. In 1800 he was for a short time secretary of war, but presently returned to his profession and visited Washington yearly in the conduct of important cases before the supreme court, where as an able reasoner he was surpassed by very few of his contemporaries. He separated from the Federalists in 1812, at which time he supported the war policy of the government. His death took place at Athens, New York, May 4, 1816. His published works include a "Letter on Masonry;" "Progress of Science," a poem; "Speeches and Political Papers."

ARGUMENT IN SELFRIDGE'S TRIAL

[Delivered in the Supreme Judicial Court of Massachusetts, at the trial of Thomas O. Selfridge, attorney-at-law, for killing Charles Austin, on the public Exchange, in Boston, on the 4th of August, 1806.]

MAY IT PLEASE YOUR HONOR, AND YOU, GENTLEMEN OF THE JURY,—It is my duty to submit to your consideration some observations in the close of the defence of this important and interesting cause. In doing it, though I feel perfectly satisfied that you are men of pure minds, yet I reflect with anxiety that no exertion or zeal on the part of the defendant's counsel can possibly insure justice unless you likewise perform your duty. Do not suppose that I mean to suggest the least suspicion with respect to your principles or motives. I know you to have been selected in a manner most likely to obtain impartial justice; and doubtless you have honestly resolved and endeavored to lay aside all opinions which you may have entertained

previous to this trial. But the difficulty of doing this is perhaps not fully estimated; a man deceives himself oftener than he misleads others; and he does injustice from his errors when his principles are all on the side of rectitude. To exhort him to overcome his prejudices is like telling a blind man to see. He may be disposed to overcome them and yet be unable, because they are unknown to himself. When prejudice is once known it is no longer prejudice, it becomes corruption; but so long as it is not known the possessor cherishes it without guilt: he feels indignation for vice and pays homage to virtue; and yet does injustice. It is the apprehension that you may thus mistake, that you may call your prejudices principles, and believe them such, and that their effects may appear to you the fruits of virtue, which leads us so anxiously to repeat the request that you would examine your hearts and ascertain that you do not come here with partial minds. In ordinary cases there is no reason for this precaution. Jurors are so appointed by the institutions of our country as to place them out of the reach of improper influence on common occasions,—at least as much so as frail humanity will permit.

But when a cause has been a long time the subject of party discussion; when every man among us belongs to one party or the other, or at least is so considered; when the Democratic presses throughout the country have teemed with publications fraught with appeals to the passions and bitter invective against the defendant, when on one side everything has been done that party rage could do to prejudice this cause, and on the other little has been said in vindication of the supposed offender (though on one occasion I admit that too much has been said); when silence has been opposed to clamor, and patient waiting for a trial to systematic labor to prevent jus-

tice; when the friends of the accused, restrained by respect for the laws, have kept silence because it was the exclusive right of a court of justice to speak; when no voice has been heard from the walls of the defendant's prison but a request that he may not be condemned without a trial,—the necessary consequence must be that opinion will progress one way; that the stream of incessant exertion will wear a channel in the public mind, and the current may be strong enough to carry away those who may be jurors, though they know not how or when they received the impulse that hurries them forward.

I am fortunate enough not to know with respect to most of you to what political party you belong. Are you Republican Federalists? I ask you to forget it: leave all your political opinions behind you; for it would be more mischievous that you should acquit the defendant from the influence of these than that an innocent man, by mistake, should be convicted. In the latter case his would be the misfortune and to him it would be confined; but in the other you violate a principle, and the consequence may be ruin. Consider what would be the effect of an impression on the public mind that in consequence of party opinion and feelings the defendant was acquitted. Would there still be recourse to the laws and to the justice of the country? Would the passions of the citizen in a moment of frenzy be calmed by looking forward to the decision of courts of law for justice? Rather every individual would become the avenger of imaginary transgression. Violence would be repaid with violence; havoc would produce havoc; and instead of a peaceable recurrence to the tribunals of justice the spectre of civil discord would be seen stalking through our streets scattering desolation, misery, and crimes.

Such may be the consequences of indulging political

prejudice on this day; and if so, you are amenable to your country and your God. This I say to you who are Federalists; and have I not as much right to speak thus to those who are Democratic Republicans? That liberty which you cherish with so much ardor depends on your preserving yourselves impartial in a court of justice. It is proved by the history of man, at least of civil society, that the moment the judicial power becomes corrupt liberty expires. What is liberty but the enjoyment of your rights free from outrage or danger? And what security have you for these but an impartial administration of justice? Life, liberty, reputation, property, and domestic happiness are all under its peculiar protection. It is the judicial power uncorrupted that brings to the dwelling of every citizen all the blessings of civil society and makes it dear to man. Little has the private citizen to do with the other branches of government. What to him are the great and splendid events that aggrandize a few eminent men and make a figure in history? His domestic happiness is not less real because it will not be recorded for posterity; but this happiness is his no longer than courts of justice protect it.

It is true injuries cannot always be prevented; but while the fountains of justice are pure the sufferer is sure of a recompense.

Contemplate the intermediate horrors and final despotism that must result from mutual deeds of vengeance when there is no longer an impartial judiciary to which contending parties may appeal with full confidence that principles will be respected. Fearful must be the interval of anarchy; fierce the alternate pangs of rage and terror, till one party shall destroy the other and a gloomy despotism terminate the struggles of conflicting factions. Again I beseech you to abjure your prejudices. In the language once addressed from

heaven to the Hebrew prophet, "Put off your shoes, for the ground on which you stand is holy." You are the professed friends, the devoted worshippers of civil liberty; will you violate her sanctuary? Will you profane her temple of justice? Will you commit sacrilege while you kneel at her altar?

I will now proceed to state the nature of the charge on which you are to decide, and of the defence which we oppose to it; then examine the evidence to ascertain the facts, and then inquire what is the law applicable to those facts.

The charge is for manslaughter; but it has been stated in the opening that it may be necessary to know something of each species of homicide in order to obtain a correct idea of that which you are now to consider.

Homicide, as a general term, includes in law every mode of killing a human being. The highest and most atrocious is murder, the discriminating feature of which is previous malice. With that the defendant is not charged; the grand jury did not think that by the evidence submitted to them they were authorized to accuse him of that enormous crime. They have therefore charged him with manslaughter only.

The very definition of this crime excludes previous malice; therefore it is settled that there cannot, with respect to this offence, be an accessory before the fact, because the intention of committing it is first conceived at the moment of the offence and executed in the heat of a sudden passion, or it happens without any such intent in doing some unlawful act. It will not be contended that the defendant is guilty of either of these descriptions of manslaughter. Neither party suggests that the defendant was under any peculiar impulse of passion at the moment and had not time to reflect; on the contrary, he is said to have been too cool and deliberate. The case in which it is important to inquire whether the act

was done in the heat of blood is where the indictment is for murder, and the intent of the defence is to reduce the crime from murder to manslaughter; but Selfridge is not charged with murder. There is nothing in the evidence that has the least tendency to prove an accidental killing while doing some unlawful act. It is difficult to say from this view of manslaughter, when compared with the evidence, on what legal ground the defendant can be convicted, unless it be that he is to be considered as proved guilty of a crime which might have been charged as murder, and by law, if he now stood before you under an indictment for murder, you might find him guilty of manslaughter, and therefore you may now convict him.

This does not appear to be true, for the evidence would not apply to reduce the offence from murder to manslaughter on either of the aforementioned grounds. Perhaps it may be said that every greater includes the less, and therefore manslaughter is included in murder, and that it is on this principle that a conviction for manslaughter may take place on an indictment for murder. I will not detain you to examine this, for it is not doing justice to the defendant to admit for a moment, even for the sake of argument, that the evidence proves murder. Our time will be more usefully employed in considering the principles of the defence. Let it be admitted, then, as stated by the counsel for government, that, the killing being proved, it is incumbent on the defendant to discharge himself from guilt. Our defence is simply this, that the killing was necessary in self-defence; or, in other words, that the defendant was in such imminent danger of being killed, or suffering other enormous bodily harm, that he had no reasonable prospect of escaping but by killing the assailant.

This is the principle of the defence stripped of all technical language. It is not important to state the difference between justifiable and excusable homicide, or to show to which the evidence will apply, because by our law, either being proved, the defendant is entitled to a general acquittal.

Let us now recur to the evidence and see whether this defence be not clearly established.

[Mr. Dexter here went into a minute examination of the whole evidence. In the course of it he labored to prove that Mr. Selfridge went on the Exchange about his lawful business, and without any design of engaging in an affray; that he was in the habit of carrying pistols, and that it was uncertain whether he took the weapon in his pocket in consequence of expecting an attack; that if he did he had a right so to do, provided he made no unlawful use of it; that the attack was so violent and with so dangerous a weapon that he was in imminent danger; that it was so sudden, and himself so feeble, that retreat would have been attended with extreme hazard; that the pistol was not discharged until it was certain that none would interfere for his relief, and that blows which perhaps might kill him, and probably would fracture his skull, were inevitable in any other way, and that the previous quarrel with the father of the deceased, if it could be considered as affecting the cause, arose from the misbehavior of old Mr. Austin, and that the defendant had been greatly injury in the affair. Mr. Dexter then proceeded:]

It cannot be necessary, gentlemen, for the defendant to satisfy you beyond doubt that he received a blow before the discharge of the pistol. There is positive evidence from one witness that the fact was so, and other witnesses say much that renders it probable. But if the defendant waited until the cane was descending, or even uplifted within reach of him, reason and common sense say it is the same thing; no man is bound to wait until he is killed, and being knocked down would disable him for defence. The killing can be

justified only on the ground that it was necessary to prevent an injury that was feared; not that it was to punish for one that was past. This would be revenge and not self-defence.

The same law authorities which tell you that a man must retreat as far as he can, say also that if the assault be so violent that he cannot retreat without imminent danger he is excused from so doing. If this means anything it is applicable to our case, for perhaps you can hardly imagine a more violent or more sudden assault. When to this is added the muscular debility of the defendant, it certainly forms a very strong case. He could neither fight nor fly. Had he attempted the latter he must have been overtaken by his more athletic and active antagonist, and either knocked down, or maimed, or murdered, as the passions of that antagonist might dictate.

But it is said, and some passages from law-books are read to prove it, that the necessity which excuses killing a man must not be produced by the party killing, and that he must be without fault. You are then told that the defendant sought the affray and armed himself for it; and that he had been faulty in calling Mr. Austin, the father, opprobrious names in the newspaper.

As to the affray being sought by the defendant, there is no evidence to support such an assertion but what arises from his conversations with Mr. Richardson and Mr. Whitman, or from the fact of his having a pistol in his pocket. These only prove that he was prepared to defend himself if attacked; and if he did defend himself lawfully this is the best evidence to show what was his intention. It cannot be presumed that he took the pistol with an unlawful intent, when he never expressed such intent and when his subsequent conduct was lawful. He had been informed that he should be attacked by a bully; in such case what was his duty? Was he bound

to shut himself up in his own house? Was he bound to hire a guard? If he had done so this would have been urged as the strongest evidence of his intention to commit an affray. Could he obtain surety of the peace from a future assailant whose name was unknown to him? Or was he bound to go about his business, constitutionally feeble and unarmed, at the peril of his life? There would be more color for this suggestion if the defendant had gone on the Exchange and then insulted either old Mr. Austin or his son, or voluntarily engaged in an altercation with either of them. But he went peaceably about his ordinary business and made use of his weapon only when an unavoidable necessity happened.

A man when about to travel a road infested with robbers lawfully arms himself with pistols; if he should be attacked by a robber, and from necessity kills him, is he to be charged with having sought this necessity because he voluntarily undertook the journey, knowing the danger that attended it, and took weapons to defend himself against it? As little is the defendant to be censured for going about his ordinary business when he knew it would be attended with danger, and arming himself for defence in case such an emergency should happen as that the laws could not afford him protection. I have here supposed that the pistol was taken for the purpose for which it was used; this, however, is far from being certain from the evidence, as it is in proof that the defendant had daily occasion for pistols in passing between Boston and Medford, a road that has been thought attended with some danger of robbery, and that he sometimes carried pistols in his pocket. There is not the least pretence for saying that he expected an affray with young Mr. Austin. He could not presume that his father would employ him, and it is not probable that he knew him in the confusion that the

sudden attack must have produced. As to the publication in the newspaper against old Mr. Austin, though this might be in some sense a fault, yet it is far from being within the prineiple established by the books. When it is said the party must be without fault, it is evident that nothing more is meant than that he must be without fault in that particular transaction. If we are to leave this and look back, where are we to stop? Are we to go through the life of the party to examine his conduct? If the defendant had libelled Mr. Austin, that was a previous and distinct offence for which he was, and yet is, liable to an action or an indictment, and unless it be presumed without evidence and against all probability that it was intended to produce this affray, it can have no connection with the principle stated. There is another obvious motive for it, and there is nothing in the evidence tending to convince you that it was intended to provoke an attack. The defendant had been defamed; retaliation was the natural punishment, and there is no reason to presume that anything more was intended, unless it was to blunt the shafts of calumny from Mr. Austin by destroying his credit and standing in society. . . .

I have hitherto admitted that the publication in the newspapers was a fault in the defendant; nor am I disposed entirely to justify it; yet circumstances existed which went far to extenuate it. He had been defamed on a subject the delicacy of which perhaps will not be understood by you, as you are not lawyers, without some explanation. Exciting persons to bring suits is an infamous offence for which a lawyer is liable to indictment and to be turned away from the bar. It is so fatal to the reputation of a lawyer that it is wounding him in the nicest point to charge him with it. It is the point of honor; and charging him with barratry, or stirring up suits,

is like calling a soldier a coward. Mr. Austin the father had accused the defendant publicly of this offence respecting a transaction in which his conduct had been punctiliously correct. The defendant first applied to him in person, and with good temper, to retract the charge; afterwards, in conversation with Mr. Welsh, Mr. Austin acknowledged the accusation to be false, and promised to contradict it as publicly as he had made it. Yet he neglected to do it; again he said he had done it; but the fact appeared to be otherwise. This induced the defendant to demand a denial of it in writing. Though Mr. Austin privately acknowledged he had injured Mr. Selfridge, yet he refused to make him an adequate recompense when he neglected to make the denial as public as the charge. This was a state of war between them upon this subject, in which the more the defendant annoyed his enemy the less power he had to hurt him. It was therefore a species of self-defence; and Mr. Austin, who had first been guilty of defamation, perhaps had little cause to complain. To try the correctness of this we will imagine an extreme case.

Suppose a man should have established his reputation as a common slanderer and calumniator by libelling the most virtuous and eminent characters of his country from Washington and Adams down through the whole list of American patriots; suppose such an one to have stood for twenty years in the kennel and thrown mud at every well-dressed passenger; suppose him to have published libels till his style of defamation has become as notorious as his face, would not every one say that such conduct was some excuse for bespattering him in turn?

I do not apply this to any individual, but it is a strong case to try a principle; and if such conduct would amount almost to a justification of him who should retaliate, will not the slan-

der of Mr. Austin against Mr. Selfridge furnish some excuse for him?

It has also been stated to you, gentlemen, and some books have been read to prove it, that a man cannot be justified or excused in killing another in his own defence, unless a felony were attempted or intended. Some confusion seems to have been produced by this, which I will attempt to dissipate. It has been settled that if a felony be attempted, the party injured may kill the offender without retreating as far as he safely can; but that if the offence intended be not a felony he cannot excuse the killing in his own defence unless he so retreat, provided circumstances will permit. On this principle all the books that have been read on this point may easily be reconciled. But the position contended for by the opposing counsel is in direct contradiction to one authority which they themselves have read. In the fourth volume of Blackstone's Commentaries, page 185, the law is laid down as follows:

"The party assaulted must therefore flee as far as he conveniently can, either by reason of some wall, ditch, or other impediment, or as far as the fierceness of the assault will permit him; for it may be so fierce as not to allow him to yield a step without manifest danger of his life, or enormous bodily harm; and then, in his defence, he may kill his assailant instantly. And this is the doctrine of universal justice as well as of the municipal law."

Also in 1 Hawkins' Pleas of the Crown, chap. 29, sect. 13, the law on this point is stated thus:

"And now I am to consider homicide *se defendendo*, which seems to be where one who has no other possible means of preserving his life from one who combats with him on a sudden quarrel, or of defending his person from one who attempts to beat him (especially if such attempt be made upon

him in his own house), kills the person by whom he is reduced to such an inevitable necessity."

From these two highly respectable authorities it appears that though nothing more be attempted than to do great bodily injury, or even to beat a man, and there be no possibility of avoiding it but by killing the assailant, it is excusable so to do.

When the weight and strength of the cane, or rather cudgel, which the deceased selected is considered, and the violence with which it was used, can it be doubted that great bodily harm would have been the consequence if Selfridge had not defended himself? The difference between this weapon and the pistol made use of by the defendant perhaps is greatly exaggerated by the imagination. The danger from the former might be nearly as great as from the latter. When a pistol is discharged at a man in a moment of confusion and agitation, it is very uncertain whether it will take effect at all, and if it should the chances are perhaps four to one that the wound will not be mortal. Still further, when the pistol is once discharged it is of little or no use, but with a cane a man within reach of his object can hardly miss it, and if the first blow should prove ineffectual he can repeat his strokes until he has destroyed his enemy.

If it were intended to excite contempt for the laws of the country, a more effectual method could hardly be taken than to tell a man who has a soul within him that one attempts to rob him of a ten-dollar bill; this is a felony, and therefore esteemed by the law an injury of so aggravated a nature that he may lawfully kill the aggressor, but that if the same man should whip and kick him on the public Exchange, this is only a trespass, to which he is bound to submit rather than put in jeopardy the life of the assailant, and the laws will recompense him in damages.

Imagine that you read in a Washington newspaper that on a certain day, immediately on the rising of Congress, Mr. A., of Virginia, called Mr. B., of Massachusetts, a scoundrel for voting against his resolution and proceeded deliberately to cut off his ears. Mr. B. was armed with a good sword-cane, but observed that his duty as a citizen forbade him to endanger the life of Mr. A., for that cutting off a man's ear was by law no felony, and he had read in law-books that courts of justice were the only proper *vindices injuriarum*, and that he doubted not that by means of a lawsuit he should obtain a reasonable compensation for his ears. What are the emotions excited in your breasts at this supposed indignity and exemplary patience of the representative of your country? Would you bow to him with profound respect on his return, or rather would not his dignity and usefulness, by universal consent, be lost forever?

We have now taken a view of the facts and the positive rules of law that apply to them, and it is submitted to you with great confidence that the defendant has brought himself within the strictest rules, and completely substantiated his defence by showing that he was under a terrible necessity of doing the act, and that by law he is excused. It must have occurred to you, however, in the course of this investigation, that our law has not been abundant in its provisions for protecting a man from gross insult and disgrace. Indeed it was hardly to be expected that the sturdy hunters who laid the foundations of the common law would be very refined in their notions.

There is in truth much intrinsic difficulty in legislating on this subject. Laws must be made to operate equally on all members of the community; and such is the difference in the situations and feelings of men that no general rule on this subject can properly apply to all. That which is an irrepa-

rable injury to one man, and which he would feel himself bound to repel even by the instantaneous death of the aggressor or by his own, would be a very trivial misfortune to another. There are men in every civilized community whose happiness and usefulness would be forever destroyed by a beating which another member of the same community would voluntarily receive for a five-dollar bill. Were the laws to authorize a man of elevated mind and refined feelings of honor to defend himself from indignity by the death of the aggressor, they must at the same time furnish an excuse to the meanest chimney-sweeper in the country for punishing his sooty companion who should fillip him on the cheek by instantly thrusting his scraper into his belly. But it is too much to conclude from this difficulty in stating exceptions to the general rule that extreme cases do not furnish them. It is vain, and worse than vain to prescribe laws to a community which will require a dereliction of all dignity of character and subject the most elevated to outrages from the most vile. If such laws did exist, the best that could be hoped would be that they would be broken.

Extreme cases are in their nature exceptions to all rules; and when a good citizen says that, the law not having specified them, he must have a right to use his own best discretion on the subject, he only treats the law of his country in the same manner in which every Christian necessarily treats the precepts of his religion. The law of his Master is, "Resist not evil;" "If a man smite thee on one cheek, turn to him the other also."

No exceptions to these rules are stated; yet does not every rational Christian necessarily make them? I have been led to make these observations, not because I think them necessary in the defence of Mr. Selfridge, but because I will have

no voluntary agency in degrading the spirit of my country. The greatest of all public calamities would be a pusillanimous spirit that would tamely surrender personal dignity to every invader. The opposing counsel have read to you, from books of acknowledged authority, that the right of self-defence was not given by the law of civil society, and that that law cannot take it away. It is founded, then, on the law of nature, which is of higher authority than any human institution. This law enjoins us to be useful in proportion to our capacities, to protect the powers of being useful by all means that nature has given us, and to secure our own happiness as well as that of others. These sacred precepts cannot be obeyed without securing to ourselves the respect of others. Surely, I need not say to you that the man who is daily beaten on the public Exchange cannot retain his standing in society by recurring to the laws. Recovering daily damages will rather aggravate the contempt that the community will heap upon him; nor need I say that when a man has patiently suffered one beating he has almost ensured a repetition of the insult.

It is a most serious calamity for a man of high qualifications for usefulness and delicate sense of honor to be driven to such a crisis, yet should it become inevitable he is bound to meet it like a man, to summon all the energies of the soul, rise above ordinary maxims, poise himself on his own magnanimity, and hold himself responsible only to his God. Whatever may be the consequences he is bound to bear them, to stand like Mount Atlas,

> "When storms and tempests thunder on its brow,
> And oceans break their billows at his feet."

Do not believe that I am inculcating opinions tending to disturb the peace of society. On the contrary, they are the only principles that can preserve it. It is more dangerous

for the laws to give security to a man disposed to commit outrages on the persons of his fellow citizens than to authorize those who must otherwise meet irreparable injury to defend themselves at every hazard. Men of eminent talents and virtues, on whose exertions in perilous times the honor and happiness of their country must depend, will always be liable to be degraded by every daring miscreant if they cannot defend themselves from personal insult and outrage.

Men of this description must always feel that to submit to degradation and dishonor is impossible. Nor is this feeling confined to men of that eminent grade. We have thousands in our country who possess this spirit, and without them we should soon deservedly cease to exist as an independent nation. I respect the laws of my country and revere the precepts of our holy religion; I should shudder at shedding human blood; I would practise moderation and forbearance to avoid so terrible a calamity; yet should I ever be driven to that impassable point where degradation and disgrace begin may this arm shrink palsied from its socket if I fail to defend my own honor.

It has been intimated that the principles of Christianity condemn the defendant. If he is to be tried by this law he certainly has a right to avail himself of one of its fundamental principles. I call on you then to do to him as in similar circumstances you would expect others to do to you, change situations for a moment and ask yourselves what you would have done if attacked as he was. And instead of being necessitated to act at the moment, and without reflection, take time to deliberate. Permit me to state for you your train of thought. You would say: This man who attacks me appears young, athletic, active, and violent; I am feeble and incapable of resisting him; he has a heavy cane which is undoubtedly a strong one, as he had leisure to select it for the purpose; he

may intend to kill me; he may, from the violence of his passion, destroy me without intending it; he may maim or greatly injure me; by beating me he must disgrace me. This alone destroys all my prospects, all my happiness, and all my usefulness. Where shall I fly when thus rendered contemptible? Shall I go abroad? Every one will point at me the finger of scorn. Shall I go home? My children—I have taught them to shrink from dishonor; will they call me father? What is life to me after suffering this outrage? Why should I endure this accumulated wretchedness which is worse than death, rather than put in hazard the life of my enemy?

Ask yourselves whether you would not make use of any weapon that might be within your power to repel the injury; and if it should happen to be a pistol, might you not with sincere feeling of piety call on the Father of Mercies to direct the stroke?

While we reverence the precepts of Christianity, let us not make them void by impracticable construction. They cannot be set in opposition to the law of our nature; they are a second edition of that law; they both proceed from the same author.

Gentlemen, all that is dear to the defendant in his future life is by the law of his country placed in your power. He cheerfully leaves it there. Hitherto he has suffered all that his duty as a good citizen required with fortitude and patience; and if more be yet in store for him he will exhibit to his accusers an example of patient submission to the laws. Yet permit me to say, in concluding his defence, that he feels full confidence that your verdict will terminate his sufferings.[1]

[1]The jury returned a verdict of not guilty.

END OF VOLUME EIGHT.

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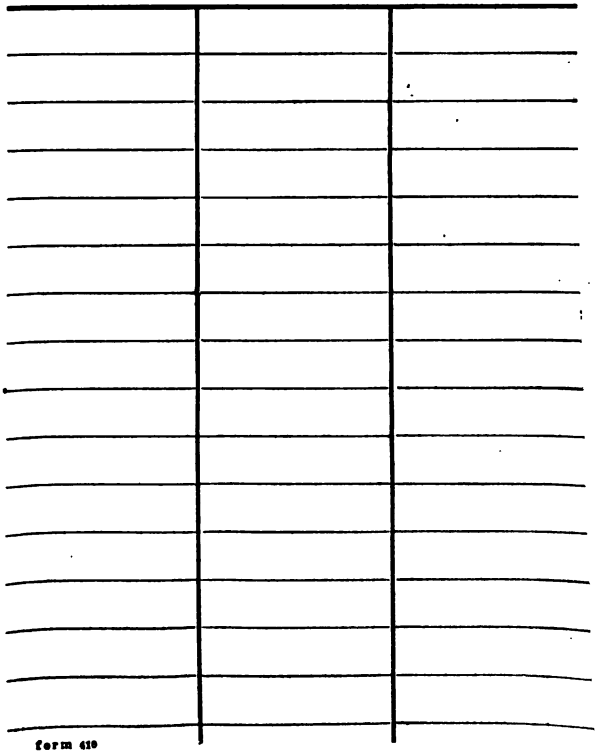

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